XIIIB

REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1885.

Published by Authority.

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1886.

Proceedings of the Hon'ble the Lieutenant-Governor of the Punjab in the Home (Judicial) Department,—

No. 595, dated 26th May 1886.

READ—

Report on the Administration of Criminal Justice in the Punjab for the year 1885.

REMARKS.—The total number of offences reported during the year 1885 was 142,032, of which 101,357 are admitted to have occurred. Seventy-eight per cent. of these were brought to trial, which is 5 per cent. less than in either of the two previous years. On the other hand the percentage of persons convicted to those tried was in the year under review 40 against 38 in 1884. The total number of true offences was 2½ per cent. more than that for the preceding year, but in 1884 the number of such cases was between 3 and 4 per cent. less than in 1883, so that the amount of crime during 1885 demands no special explanation, and all that is required is to notice some of the more remarkable features in the Report.

2. It is to be regretted that the number of murders (433) is 24 per cent. in excess of the number committed in either of the two previous years. Of these no less than 100 occurred in the Peshâwar district, while only 77 were reported there during 1884. This result has belied the hope expressed in paragraph 5 of last year's review that the statistics of 1885 would show more satisfactory results, and has justified the action of the Lieutenant-Governor in directing an exhaustive enquiry to be made into the criminal administration of that part of the frontier. It is unnecessary to say more here than that the whole subject has been fully investigated by a Committee of officers of experience in frontier administration, and that the report of the Committee is now under consideration. It is matter for satisfaction that 31 convictions were obtained in murder cases in the Peshâwar district during the year 1885, against 19 in 1884.

3. The Lieutenant-Governor is glad to learn that the number of cases summarily dismissed under Section 203 of the Code of Criminal Procedure has risen from 34,932 in 1884 to 39,228. There are, however, cases in which apparently room is still left for improvement. Thus it appears that out of 4,389 complaints of offences relating to marriage, in which processes were issued, and in which 5,880 persons were accused, there were no more than 603 convictions. If in all these cases the complainants were properly examined at first, and the Magistrates were assured of the *primâ facie* credibility of the complaints, His Honor does not understand why the percentage of convictions was so low.

4. There has been a still further diminution in the number of convictions for breaches of Municipal rules. In paragraph 27 of last year's report this was attributed to greater willingness on the part of the people to conform to sanitary rules. The Lieutenant-Governor hopes that the same cause has operated during the past year, and that the decrease in the number of prosecutions has not arisen from neglect to enforce sanitary rules.

5. It is satisfactory that the attention of the courts has been directed with good results to the discouragement of frivolous complaints. The number of persons who have been required to make compensation for preferring frivolous and vexatious complaints has risen from 1,095 in 1883, and 1,144 in 1884, to 1,361 in the year under review.

6. The general results of trials in Magistrates' courts call for no special comment, but the Lieutenant-Governor notices with satisfaction that in the Amritsar district the percentage of convictions has risen from 24 to 33, and that the average duration of trials, which formed the subject of an unfavorable remark in last years' review, has been reduced from 20 to 12 days.

7. District Magistrates disposed of considerably fewer cases than in either of the two preceding years, whether in exercise of their ordinary powers or their enhanced powers conferred under Section 30 of the Code of Criminal Procedure. Still it appears that very few cases were committed to the Court

of Session which could have been disposed of by the District Magistrate. The Lieutenant-Governor thinks it important that Deputy Commissioners should decide as many of these cases as possible, otherwise the Divisional Judges will be unable to cope with the mass of civil litigation which falls upon them.

8. The dieting of witnesses by the Police and by the Magistrates is a matter that appears to deserve, in some districts at least, more attention than has been bestowed upon it. Out of 247,404 witnesses who attended the courts, and 236,295 who were actually examined, only 69,913 were dieted. Attendance at the courts must cause inconvenience to the majority of witnesses even if it does not withdraw them from their usual occupations, and it is impossible to expect uninterested persons to be willing to give evidence unless they are to some extent at least repaid for the inconvenience suffered. Such persons in this country generally display great apathy as regards the detection and punishment of crime, and as their evidence is the most valuable and the hardest to procure, so no proper means for obtaining it should be rejected.

9. The percentage of the fines imposed which were realized during the year was 62 for the whole Province, and in only four districts was it less than 50. His Honor regrets to notice that the percentage in the Montgomery district is as low as 27, while in 1884 it was 42, and he will be glad to hear that the Judges have asked for an explanation of this apparently unsatisfactory result.

10. The Lieutenant-Governor agrees with the Judges of the Chief Court that the appointment of separate Divisional and Sessions Judges cannot fail to have a good effect on the efficiency of the Subordinate Criminal Courts by subjecting their work to constant and systematic control, and His Honor hopes that the permanent arrangements which have recently been made for disposing of the Civil work of the Divisional Judges will give them more leisure for supervising Magistrates' Courts than was available during the year under review.

11. In conclusion, the Lieutenant-Governor desires to record his thanks for the punctual submission of this report and his appreciation of the efficient control which the learned Judges have exercised over all branches of the criminal administration of justice during the past year.

ORDER.—Ordered that a copy of the foregoing be forwarded to the Registrar of the Chief Court, Punjab, for the information of the Judges and for circulation with the Report.

Ordered also that the Review be printed and published in the *Punjab Gazette.*

By order of the Hon'ble the Lieutenant-Governor,

W. M. YOUNG,

Secretary to Government, Punjab.

Punjab Government Press, Lahore—26-5-86—362.

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Extracts from the Annual Criminal Reports of Sessions Judges and District Magistrates.

No. 1554.

FROM

T. GORDON WALKER, ESQUIRE,

Registrar, Chief Court Punjab,

To

THE SECRETARY TO GOVERNMENT, PUNJAB.

Dated Lahore, the 28th April 1886.

Sir,

I am directed by the Judges to submit the Annual Report on the administration of Criminal Justice in the Punjab during the year 1885.

2. The plan of the Report is the same as in previous years; but some endeavour has been made to reduce its dimensions.

Arrangement of the Report.

PART I.—ORIGINAL JURISDICTION.

A.—GENERAL REVIEW OF OFFENCES COMMITTED AND BROUGHT TO TRIAL.

3. The following comparative statement gives the usual details of the number of offences reported and admitted to have occurred, and of cases and persons brought to trial before the criminal courts of the Province during the last three years. Owing to an alteration in classification, which was explained in para 3 of the Report of last year, certain classes of offences were included under the head of "Special and Local Laws" for the first time in 1884; and this should be borne in mind in comparing the details of 1883 with those of the two subsequent years.

Number of offences reported, and admitted to have occurred and of cases brought to trial

1	2	3	4	5	6	7	8	9
NATURE OF OFFENCE	Year	Offences reported.	Complaints summarily dismissed	Offences struck off the register on the application of the police	Offences admitted to have occurred.	Cases brought to trial.	Persons brought to trial.	REMARKS
Offences under the Indian Penal Code	1883	106,640	30,192	1,519	74,929	58,533	125,388	
	1884	109,355	32,881	1,758	74,716	57,021	125,174	
	1885	113,800	35,669	1,349	76,782	56,190	125,845	
Offences under Special and Local Laws	1883	21,287	744	26	20,517	20,359	42,299	
	1884	26,264	2,051	39	24,174	23,761	51,163	
	1885	28,232	3,559	98	24,575	23,544	53,276	
Total ...	1883	127,927	30,936	1,545	95,446	78,892	167,687	
	1884	135,619	34,932	1,797	98,890	80,782	176,337	
	1885	142,032	39,228	1,447	1,01,357	79,734	179,121	

Complaints summarily dismissed and offences struck off the Register on the application of the Police

4. It will be observed that there has been a very considerable increase in the number of complaints summarily dismissed by the Criminal Courts (under Section 203, Criminal Procedure Code), the figures for the year under report being 27 per cent. in excess of those of 1883. The steady rise in the number of cases disposed of in this manner is, as pointed out last year, satisfactory, because "it would seem to indicate that Magistrates as a rule exercise greater care in the examination of complainants, a matter to which attention has been repeatedly directed." At the same time it may be noted that the number of cases in which a reference was made to the Police before dismissal of the complaint rose from 8,297 in 1884 to 11,436 in 1885. An examination of the district figures does not lead to the conclusion that the Courts have anywhere made an improper use of this power of reference. The increase is principally made up of cases in which cognizable offences affecting property are alleged to have been committed, but the complainants have gone direct to the Magistrates instead of reporting to the Police. This view is borne out by the remarks of the District Magistrate, Lahore, on the subject, which will be found as one of the extracts printed in the Appendix.

Comparison of the details of true cases

5. The number of offences admitted to have occurred (that is, after deducting the complaints summarily disposed of and proved to be false) is 101,357, or 2½ per cent. in excess of that of the preceding year. A reference to para 6 of last year's Report will show that the number of true cases in 1884 was really between 3 and 4 per cent. less than in 1883, and the figures in column 7 of the table given above in para 3 do not, as already explained, show the full results for 1883. These variations in the amount of crime admitted to have occurred, appear to call for no special remarks. The increase in the year under report has occurred in offences under the Indian Penal Code.

Proportion of true cases brought to trial.

6. Of the cases admitted to have occurred 78 per cent. were brought to trial, a proportion somewhat lower than in the two preceding years (83 per cent.). By far the most unfavorable results are those for the Sialkot, Gujranwala and Montgomery Districts for which the figures are as follows :—

District.	Number of cases.		Percentage brought to trial
	Admitted to have occurred	Brought to trial	
Sialkot	6,866	3,476	55
Gujranwala	4,233	2,148	51
Montgomery	2,698	1,401	52

In the other districts the proportions do not differ very materially. No one of the officers who submitted the reports of the three districts mentioned above has attempted to account for the very large proportion of true cases that went undetected ; but some remarks by the District Magistrate of Montgomery on the state of crime in that district will be found in the Appendix. From Statement No. 2 accompanying this Report, it will be seen that the heads of crime under which the greatest differences between the figures of offences returned as true and brought to trial occur are Theft and Criminal trespass (the latter including house-breaking &c.). The following are the details under these two heads for the past year and for 1884:—

1	2	3	4	5	6	7
	1884.			1885.		
SECTIONS OF THE PENAL CODE.	Admitted to have occurred.	Brought to trial.	Number of cases not brought to trial	Admitted to have occurred.	Brought to trial.	No. of cases not brought to trial.
379 to 381 and 401 ...	10,534	6,543	3,991	11,917	6,622	5,295
449 to 452, 454, 455, 457, and 458 ..	9,707	2,543	7,164	11,534	2,511	9,023
Total	20,241	9,086	11,155	23,451	9,133	14,318

If reference be made to the table given in para 3, it will be seen that the total number of true cases not brought to trial in 1885, is 21,623, to which these two heads of crime contribute 14,318. These results for offences against property will be considered later on in this Report.

B.—OFFENCES CLASSIFIED.

Variations under the main heads of crime

7. The following table shows, in the usual form, the variations under the main heads of crime, and the comparative results of the trial of offenders for each of the last two years :—

DESCRIPTION OF OFFENCE	No of offences admitted to have occurred during the year		Percentage of increase or decrease.	Persons disposed of during the year		Persons convicted.		Percentage of persons convicted to those tried.	
	1884	1885		1884	1885.	1884.	1885.	1884	1885
Chapter VI.—Offences against the State				..			.	...	..
" VII —Offences relating to the Army and Navy	1			1	.				
" VIII.—Offences against the public tranquillity .	936	800	− 14	7,400	7,032	4,747	4,691	64	67
" IX.—Offences by or relating to public servants	196	174	− 11	270	210	74	64	27	30
" X —Contempts of the lawful authority of public servants	1,084	958	− 12	1,863	1,855	890	910	48	48
" XI —False evidence and offences against public justice	961	1,008	+ 5	1,711	1,529	745	660	44	43
" XII.—Offences relating to coin and Government stamps	109	137	+ 26	120	148	65	80	54	54
" XIII.—Offences relating to weights and measures,	75	81	+ 8	122	114	62	64	51	56
" XIV.—Offences affecting the public health, safety, convenience, decency and morals	512	575	+ 12	1,390	1,736	871	1,183	63	68
" XV.—Offences relating to religion	168	192	+ 14	474	508	95	76	20	15
" XVI —Offences affecting the human body:—									
1.—Offences affecting life	774	849	+ 10	1,092	1,146	535	514	49	45
2.—Causing of miscarriage, injuries to unborn children, exposure of infants, and the concealment of births ..	93	71	− 24	91	77	34	45	37	58
3.—Hurt ...	7,114	7,715	+ 8	15,650	17,797	3,488	3,849	22	22

Description of offence.	No. of offences admitted to have occurred during the year.		Percentage of increase or decrease.	Persons disposed of during the year.		Persons convicted		Percentage of persons convicted to those tried.	
	1884.	1885.		1884.	1885.	1884.	1885.	1884.	1885.
4.—Wrongful restraint and wrongful confinement	702	794	+ 13	1,689	1,795	234	271	14	15
5.—Criminal force and assault	22,699	21,741	− 4	48,788	48,066	6,269	6,393	13	13
6.—Kidnapping, forcible abduction, slavery and forced labor	206	257	+ 28	338	392	102	103	30	26
7.—Rape	133	107	− 19	124	89	42	29	34	33
8.—Unnatural offence	70	86	+ 23	73	94	37	45	51	48
Chap XVII.—Offences against property									
1.—Theft	10,839	11,957	+ 3	9,589	9,404	6,347	6,060	66	64
2.—Extortion	224	230	+ 3	493	516	74	47	15	9
3.—Robbery and dacoity	286	217	− 24	357	366	169	158	47	43
4.—Criminal misappropriation of property	469	474	+ 1	722	684	353	346	49	51
5.—Criminal breach of trust	598	596		650	666	230	193	35	29
6.—Receiving of stolen property	2,627	2,546	− 3	3,184	3,289	1,893	1,868	59	57
7.—Cheating	745	784	+ 5	1,139	1,113	242	221	21	20
8.—Fraudulent deeds and disposition of property	11	18	+ 64	10	26	1	11	10	42
9.—Mischief	3,239	3,236	.	6,465	6,399	1,466	1,588	23	25
10.—Criminal trespass	13,326	14,843	+ 11	9,755	9,521	3,411	3,430	35	36
„ XVIII.—Offences relating to documents or to trade or property marks	126	120	− 5	235	202	39	61	17	30
„ XIX.—Criminal breach of contracts of service	26	41	+ 58	34	65	13	24	38	37
„ XX.—Offences relating to marriage	4,701	4,389	− 7	5,978	5,880	704	603	12	10
„ XXI.—Defamation	391	400	+ 2	801	688	62	89	77	13
„ XXII.—Criminal intimidation, insult and annoyance	1,275	1,286		2,153	2,204	299	315	14	14
Offences under Special and Local Laws	24,174	24,575	+ 1	50,841	52,830	34,564	35,958	72	68
			+ 1						
Total	98,890	101,357	+ 2 5	173,602	176,441	68,157	69,949	38	40

Note.—The figures for 1884 differ slightly from those shown in the table given in para. 8 of last year's Report, as errors in the returns of a few districts, which were discovered after the submission of that Report, have now been corrected

Chapters VI to XV I P Code.

8. The total number of offences under Chapters VI to XV of the Indian Penal Code is not very large, and the fluctuations under each Chapter do not call for special notice except under the head of offences affecting the public health &c. (Chapter XIV). Although there has been an increase in this class of offences, the figures for 1885 are considerably below those of 1883. The Sessions Judge of Peshawar thinks that the reduction in the number of offences against public tranquillity which has taken place in his Division (they fell from 152 to 99) may be ascribed to "the extensive operations of the Magistrates in taking security to keep the peace." The proportions of convictions have remained much the same under these heads (Chapters VI to XV) in both years.

Offences affecting the human body (Chapter XVI).

9. Taking offences affecting the human body as a whole, it will be seen that the figures of the last three years have not varied much :—

Year.	No. of true cases.	Persons disposed of.
1883 ...	31,727	67,173
1884 ...	31,791	67,849
1885 ...	31,620	69,456

A further decrease under the head of Criminal force (5), and a corresponding increase under the head of Hurt (3) are again noticeable; and the remarks made in para 10 of the Report for 1884 are applicable to this, that the Courts have hitherto been in the habit of wrongly treating as cases of simple assault those in which hurt is actually caused. It is also certain that complainants prefer to lay their informations, where possible, under the more serious charge, so as to escape the danger of being ordered to pay compensation in the event of the complaint being dismissed as frivolous or vexatious.

Murder

10. The increase in the number of offences affecting life is more than accounted for by the large number of murders committed during 1885. The annexed statement shows for the last three years the number of cases of murder admitted to have occurred and brought to trial before the regular Courts, with the results of the trials :—

1	2	3	4	5	6	7	8	9
	Cases		Persons disposed of by the ordinary tribunals					
Year	Returned as true	Brought to trial	Brought to trial	Convicted	Acquitted, died, &c	Total disposed of	Remaining under trial	Proportion of convictions to total disposed of
1883 .	344	332	664	190	355	545	119	35
1884 .	347	312	613	212	317	529	84	40
1885	433	348	743	215	363	578	165	37

It will be seen that the number of murders admitted to have occurred is 24 per cent. in excess of the number in either of the two previous years.

The following Districts showed large increases over the figures of 1884 :—

District	1884	1885.	Increase
Lahore	3	25	22
Jhelum	14	25	11
Bannu	19	33	14
Peshawar	77	100	23
Kohat ..	25	35	10
Total ..	138	218	80

The District Magistrate Lahore can assign no special reason for the occurrence of so many murders in the year under report; but the number for 1884 was unusually low, the average being about 10. In Jhelum there has been a decrease in cases of culpable homicide corresponding to the increase under murder, so that the rise is only apparent. The remarks of the District Magistrate Bannu on the figures for that District will be found amongst the extracts; and those of the Sessions Judge Peshawar on this form of crime in his Division are also reproduced. The former officer gives detailed reasons which, in his opinion, account for the increase of murders in Bannu.

The proportion of cases brought to trial to those admitted to have occurred was, as usual, lowest in the Frontier Divisions. The working of the Police with regard to this form of crime, on the Frontier and in the rest of the Province, may be judged from the following abstract :—

	Murders.		
	Admitted to have occurred.	Brought to trial.	Not brought to trial.
Two Frontier Divisions.	213	146	67
Rest of the Province.	220	202	18

The returns of the Peshawar District show somewhat better results than they have for some years.

Year.	No. of cases.		No. of Persons.	
	Admitted to have occurred.	Brought to trial.	Convicted.	Acquitted.
1883 ...	73	54	14	64
1884 ...	77	46	19	70
1885 ...	100	76	31	114

The proportion of convictions to the total number of persons disposed of for the whole Province was lower than in 1884, but higher than in 1883 (see Statement at the beginning of this paragraph). The results of the trials by Sessions Judges in each of the Sessions Divisions, and by Councils of Elders in the two Frontier Divisions are given below—

Division.	Persons disposed of by the ordinary tribunals.		Persons disposed of by Councils of Elders.	
	Acquitted or discharged.	Convicted.	Discharged.	Convicted.
Delhi	19	14	...	...
Umballa	8	6	...	...
Jullundur	10	4	...	...
Hoshiarpur ...	4	10	...	...
Ferozepur	4	15	...	...
Amritsar	10	12	..	...
Sialkot	3	8	...	...
Lahore	27	23	...	...
Mooltan	15	9	...	...
Jhelum	51	22	...	...
Rawalpindi ...	29	24	...	...
Derajat	41	20	5	18
Peshawar	140	48	43	74
	361	215	48	92

11. The number of offences against property admitted to have occurred in each of the last four years is as follows:—

Offences against property

1882	...	...	30,146
1883	...	...	32,557
1884	...	...	32,364
1885	...	...	34,901

There has thus been an increase of nearly 8 per cent. in this class of crime over the figures of 1883 and 1884, and of 16 per cent. if the comparison be made with 1882. At the same time the number of cases brought to trial is almost exactly the same in each of the last two years. Reference has already been made (in para. 6) to the large proportion of cases admitted to have occurred but not brought to trial under the heads of Theft and Criminal trespass. The following are the proportions for all offences under Chapter XVII, Indian Penal Code, in each of the past three years :—

1884 ... ... 18,556.
1885 ... ... 18,562.

Year.	Number of Cases.		Percentage brought to trial.
	Admitted to have occurred.	Brought to trial.	
1883	32,557	19,133	59
1884	32,364	18,556	57
1885	35,001	18,562	53

12. In the annexed statement are shown the details of cases admitted to have occurred and brought to trial for each district of the Province, the offences being grouped in the usual manner :—

Details of these offences for each district.

DISTRICT,	*Theft and receipt of stolen property.*				*Serious cases of criminal trespass.*				*Robbery and dacoity.*				*Other cases.*				*Total.*			
	Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.		Cases returned as true.		Cases brought to trial.	
	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.
Delhi	416	434	303	297	314	251	96	70	3	2	2	2	172	129	167	129	905	816	568	498
Gurgaon	252	231	192	165	210	152	75	54	6	8	4	4	119	129	119	118	587	520	390	341
Karnal	452	450	226	193	302	283	66	66	8	9	5	4	168	166	132	133	930	908	429	396
Hissar	296	412	214	307	123	186	79	97	5	7	4	7	52	94	51	90	476	699	348	501
Rohtak	210	211	168	162	181	118	57	36	11	6	7	3	111	75	109	69	513	410	341	270
Sirsa	304	...	181	...	50	...	20	...	5	...	5	...	78	...	66	...	437	...	272	...
Umballa	753	626	480	418	662	601	109	73	10	3	4	3	347	292	321	279	1,772	1,522	914	773
Ludhiana	231	224	221	220	288	299	77	68	9	3	9	3	428	415	428	414	956	941	735	705
Simla	156	123	126	115	16	2	17	2	2	...	2	...	52	77	53	73	226	202	198	190
Jullundur	363	181	142	160	558	556	72	68	9		4	5	231	280	226	280	1,161	1,022	444	513
Hoshiarpur	284	248	205	192	424	408	70	70	6	5	6	5	342	296	343	307	1,056	957	624	574
Kangra	293	313	213	217	109	99	50	51	1	4	1	3	275	336	273	319	678	752	537	590
Amritsar	574	756	407	478	421	586	105	129	11	28	8	21	532	531	496	525	1,538	1,901	1,016	1,153
Gurdaspur	350	254	116	210	442	575	63	65	13	13	8	5	325	272	300	228	1,130	1,114	487	508
Sialkot	602	577	427	408	767	978	95	114	4	4	1	3	683	520	558	428	2,056	2,079	1,081	953
Lahore	1,113	1,260	728	751	633	983	183	187	14	28	14	21	231	285	238	291	1,991	2,556	1,163	1,250
Gujranwalla	413	389	295	316	251	325	71	105	5	7	4	7	266	354	184	232	935	1,075	554	660
Ferozepore	492	666	353	443	234	336	81	119	9	12	4	6	379	371	347	303	1,114	1,385	785	871
Rawalpindi	572	633	285	346	527	594	114	106	15	9	12	6	597	577	528	495	1,711	1,813	939	953
Jhelum	473	556	289	314	492	433	136	137	8	9	8	9	359	442	320	328	1,332	1,440	753	788
Gujrat	354	549	274	301	279	385	69	95	6	9	5	3	118	249	127	220	757	1,192	475	619
Shahpur	213	468	198	246	213	313	40	78	8	8	8	3	185	182	185	148	619	971	431	475
Mooltan	933	773	577	450	458	403	124	114	2	10	1	6	427	262	341	242	1,820	1,448	1,043	812
Jhang	315	396	230	205	138	251	62	58	...	4	...	2	78	78	75	58	531	729	367	323
Montgomery	926	1,155	329	421	171	304	58	72	3	6	2	2	120	300	76	181	1,220	1,765	465	676
Muzaffargarh	316	383	197	194	303	332	110	89	3	8	3	7	164	171	103	97	786	894	413	387
Dera Ismail Khan	245	269	161	143	134	146	70	60	10	5	3	3	105	147	71	105	494	567	305	311
Dera Ghazi Khan	345	417	235	253	164	190	60	44	3	5	4	1	174	242	159	221	686	854	458	519
Bannu	337	266	179	151	305	326	66	80	14	10	4	1	450	437	155	119	1,106	1,039	404	351
Peshawar	351	334	338	322	621	678	145	130	20	34	18	11	312	365	288	334	1,304	1,411	789	797
Hazara	228	228	148	161	167	138	57	46	28	13	5	5	386	332	213	180	809	711	423	392
Kohat	304	721	192	191	247	352	64	53	35	43	8	8	142	192	141	161	728	1,308	405	413
TOTAL ..	13,466	14,503	8,629	8,750	10,204	11,583	2,561	2,536	286	317	173	169	8,408	8,598	7,193	7,107	32,364	35,001	18,556	18,562

Remarks on the above statement.

13. It will be seen that the increase in the number of cases returned as true is made up almost entirely by the figures of the following Districts :—

District.	1884.	1885.	Increase
Amritsar ...	1,538	1,901	363
Lahore ...	1,991	2,556	565
Gujrat ...	757	1,192	435
Montgomery ..	1,220	1,765	545
Kohat ..	728	1,308	580

The District Magistrates Amritsar and Lahore think that the increase may perhaps be attributed to a bad agricultural season. The District Magistrate Gujrat is at a loss how to account for the increase in his district ; and the remarks of the District Magistrates Montgomery and Kohat, which will be found amongst the extracts, do not specially notice the increase.

Offences relating to marriage (Chapter XX), Criminal intimidation &c (Chapter XXII.).

14. The statement in para. 7 shows the number of offences relating to marriage, which are admitted to have occurred, as less than in the preceding year. The small proportion of complaints of these offences summarily dismissed, accompanied by a very low percentage of convictions in certain districts, was noticed in the Report of last year, as indicating that the preliminary examination of complainants was not properly conducted: and a great improvement in this respect is noticeable in Gujranwala and Shahpur. The following are the totals for the whole Province of complaints laid of offences under this Chapter, of summary dismissals, and of convictions :—

Year	Number of Complaints.		Balance of cases in which process issued	Number of Persons.	
	Laid	Summarily dismissed.		Disposed of during the year	Convicted.
1884	7,795	3,094	4,701	5,978	704
1885 . ..	7,429	3,040	4,389	5,880	603

There has thus been a considerable decrease in the number of complaints, while the number summarily disposed of remained much the same. The remarks of the Sessions Judge of Amritsar on this class of offences, which will be found amongst the extracts, are deserving of attention. The figures of offences under Chapter XXII are almost identical for the two years.

Offences under Special and Local Laws.

15. The details of the offences under Special and Local Laws differ only very slightly in the two past years :—

Year	Number of offences.	
	Admitted to have occurred	Brought to trial
1884	24,174	23,761
1885 ...	24,575	23,544

Certain classes of offences under the Code of Criminal Procedure are now included under this general heading (see paragraph 3 of this and of last year's Reports). These will be noticed in Section C. The following table exhibits for the other Acts and Laws, the comparative results of the two years under the principal heads :—

	Cases returned as true.		*Persons convicted.*	
	1884.	1885.	1884.	1885.
Arms Act	210	204	187	172
Canals and Drainage Act	577	810	858	1,451
Cantonments Act	2,838	3,822	5,280	6,020
Cattle Trespass Act	1,466	1,420	715	711
Contract (Workmen) Act	103	98	8	29
Criminal Tribes and Eunuchs Act	563	439	431	426
Excise Act	255	310	279	303
Forest Act ...	1,022	1,125	2,585	3,141
Gambling Act	177	156	627	590
Hackney and Stage Carriages Act	311	187	358	230
Municipal Act	3,125	2,198	3,932	2,791
Opium Act	255	351	273	346
Police Act	5,631	6,095	8,341	9,051
Prostitutes (under the Cantonments Act)	301	137	458	159
Punjab Laws Act	541	511	697	679
Railways Act	532	420	501	422
Salt and Saltpetre Act	90	69	150	120
Stamp Act	123	120	108	125

Canals Act

16. The number of prosecutions under the Canals Act has risen considerably. The numbers of persons convicted in each of the three past years are as follows :—

1883	1884	1885
1,148	858	1,451

The Gurgaon returns show only 28 convictions against 147 in 1884; but the four following Districts show large increases :—

District	Number of Convictions	
	1884	1885
Dera Ghazi Khan	341	517
Mooltan	45	335
Amritsar	49	147
Lahore	21	139

The District Magistrate of Gurgaon hopes that " the decrease in some measure indicates a more ready and intelligent obedience on the part of *zamindars* to Departmental rules," and adds " if it also shows a gentler hand on the side of authority, so much the better." The increase of prosecutions in Dera Ghazi Khan, which contributed more than one-third to the Provincial total, is attributed " partly to diminished rainfall, and partly to scarcity of water in the Canals, which led to cultivators stealthily appropriating water out of their turns." The subject is not noticed in the Mooltan report. In Amritsar and Lahore the same causes are assigned as in Dera Ghazi Khan,—a scanty rainfall.

Cantonments Act

17. There has been a considerable increase in the number of cases and of persons convicted under the Cantonments Act. This has occurred almost entirely in two Cantonments—

District	Number of persons convicted	
	1884	1885
Jullundur	317	1,051
Peshawar .. .	154	684

In Jullundur the increase is said to be due to " greater vigilance on the part of Cantonment authorities in carrying out Cantonment rules." The figures of 1884 were abnormally low for both these Districts; and, at all events in the case of Peshawar, the number of prosecutions is not higher than was to be expected with reference to the strength of the military forces located in the District.

Forest Act

18. The number of persons convicted under the Forest Act increased from 2,585 to 3,141. Kangra contributes considerably more than half of the total for the Province. The returns of the last three years show the convictions in that District to have been—

1883	1884	1885
1,744	1,532	1,835

The District Magistrate Kangra writes as follows, with regard to these prosecutions :—" My inquiries on the subject showed that, to a certain extent, such prosecutions had been somewhat indiscriminately directed by the Forest Officers on report of the subordinate Forest officials. I issued orders, in exercise of the powers of Forest control vested in the District Officer by the Financial Commissioner's recent Circular, which have, I hope, placed the matter on a proper footing."

Remarks by Sessions Judge Peshawar, and by the District Magistrates Hazara and Jhelum, on the working of the Forest Rules, will be found amongst the extracts.

Municipal Act

19. There is a further decrease in the number of prosecutions and of convictions under the Municipal Act, the figures for the last three years being—

Year	Number of cases	Number of convictions.
1883	3,445	4,359
1884 ..	3,125	3,932
1885	2,498	2,791

It was remarked in last year's Report that more than 25 per cent. of the whole convictions of the Province appeared in the Rawalpindi returns. The details of convictions in this district for the last three years, are as follows :—

1883.	1884.	1885.
1,229	1,022	282

The decrease may perhaps be due to the fact that attention was drawn last year to the comparatively large number of prosecutions. The largest number of cases (523), and of persons convicted (428), appear in the Delhi returns, as might have been expected from the size of that city.

Police Act

20. Convictions for offences under the Police Act inreased from 8,341 to 9,051. The Amritsar returns show 1,800 persons convicted in 1885 and 676 in 1884, the only reason assigned being "greater energy on the part of the Police." In Jullundur (676) and Hissar (644) the number of persons convicted was also high; but very little in excess of that of the preceding year.

Prostitutes

21. Convictions of prostitutes under the Cantonments Act amounted to 90 in Ferozepore and 30 in Mooltan. Elsewhere this provision of the Act appears scarcely to have been applied.

Excise and Opium Acts

22. Convictions under the Excise and Opium Acts show an increase on the figures of the preceding year:—

	1884.	1885.
Excise Act	279	303
Opium Act	273	346

Amritsar shows the highest figures under both heads (51 and 69).

C.—Miscellaneous Proceedings under the Code of Criminal Procedure.

Proceedings under the Code of Criminal Procedure

23. The annexed statement gives the usual details of proceedings under the Code of Criminal Procedure :—

Nature of Proceedings	Year.	Total number of cases disposed of	Total number of persons disposed of.	Number of persons convicted.
Proceedings against witnesses under Sections 87 to 89 and 485 . . .	1884	22	23	21
	1885	3	3	3
Proceedings under Chapter VIII, to prevent breach of the peace	1884	2,402	8,838	4,316
	1885	2,663	10,389	5,400
Proceedings under Chapter VIII, security for good behaviour ..	1884	3,258	4,370	3,256
	1885	2,583	3,368	2,629
Proceedings against local nuisances, Chapter X	1884	79	231	54
	1885	82	228	78
Disputes as to immoveable property, Chapter XII	1884	144	428	130
	1885	194	579	197
Frivolous or vexatious complaints summarily dealt with under Section 250	1884	994	1,145	1,144
	1885	1,127	1,361	1,361
Non-attendance of jurors or assessors, Chapter XXIII	1884	.	....	...
	1885	..	...	...
Maintenance, Chapter XXXVI ..	1884	2,217	2,217	434
	1885	1,865	1,865	446
Forfeiture of bonds under Chapter XLII .	1884	228	328	245
	1885	213	294	208

24. There has been an increase in the number of proceedings taken to prevent breach of the peace; and the number of persons called upon to furnish security in 1885 is higher than in either of the two preceding years, the figures for the last four years being as follows (persons called upon to furnish security) :—

Proceedings to prevent breach of the peace.

1882	6,692
1883	4,716
1884	4,316
1885 .	5,400

The Frontier Districts as usual show the largest number of prosecutions under this head :—

District.	Number of persons called on to furnish security.	
	1884.	1885.
Peshawar	769	1,228
Kohat	1,179	1,165
Bannu	604	845
Hazara	166	596

The remarks of the Sessions Judge Peshawar on this subject will be found amongst the extracts under subject 3.

25. There has been a further decrease in the number of cases under the provisions relating to security for good behaviour. The number of persons called on to furnish security in each of the past four years is as follows :—

Security for good behaviour.

1882.	1883.	1884.	1885.
5,198	5,057	3,256	2,629

This decrease is probably due, as suggested in para. 7 of the Review of last year's Report, to the fact that the changes introduced by the Criminal Procedure Code of 1882, which materially restricted the scope of these bad livelihood inquiries, were not at first fully understood and acted on. From some of the remarks on this subject in the District reports, and from cases which have come before the Court, it is evident that the procedure of the Code of 1872 is still followed by some Magistrates; and it has been found necessary to call the attention of all Criminal Courts to the changes by a Circular explaining them. The figures for 1885 are pretty evenly distributed between the Districts of the Province, Sialkot and Peshawar (with 340 and 238 convictions) heading the list. In no other district does the number of persons called on to furnish security exceed 200.

Details of imprisonment in default. Average amount of security, &c.

26. The following are the details as to the average amount of security, and imprisonment in default for the proceedings referred to in the last two paragraphs :—

Year.	Prevention of breach of the peace.				Good behaviour.			
	Number of persons from whom security or recognizance was demanded.	Number of persons imprisoned in default.	Number of persons detained for more than one month in default.	Average amount of security demanded.	Number of persons from whom security or recognizance was demanded.	Number of persons imprisoned in default.	Number of persons detained for more than one month in default.	Average amount of security demanded.
1884 ...	4,316	111	30	123	3,256	543	305	172
1885 ...	5,400	115	25	121	2,629	468	277	150

The districts which showed the greatest number of detentions for more than a month were :—

District.	Number of persons.		Average amount of Security demanded.
	From whom security was demanded	Detained for more than a month.	
			Rs.
Lahore	180	38	93
D. G. Khan	120	29	237
Mooltan	170	26	128
Muzaffargarh ...	80	22	254

Compensation awarded for frivolous and vexatious complaints.

27. The number of persons against whom awards of compensation for frivolous and vexatious complaints were made under Section 250, Criminal Procedure Code, was in each of the last three years :—

1883	1884	1885
1,095	1,144	1,361

This subject was very fully discussed in para. 42 of the Report of 1883 and in para. 36 of last year's Report, and in the Government Reviews of both Reports; and the attention which it has received appears to be producing good results.

D.—General results of Trials in Magistrates' Courts.

Persons brought to trial

28. The total number of persons coming before the Magistrates of the Province and the manner in which they were brought up on trial for each of the last two years is shown in the following abstract :—

	Number.		Percentage.	
	1884	1885	1884	1885
Under arrest by Police	57,836	59,304	33	34
Upon warrant	12,795	12,906	8	7
On summons ...	97,437	99,499	56	56
Voluntarily	5,541	5,912 ...	3	3
Total	173,609	177,621		..

Manner in which the cases were disposed of.

29. The total number of accused persons whose cases were disposed of during the year, and the various methods of disposal, are as follows :—

	Number.	Percentage.
Died or escaped	105	...
Transferred	86	...
Discharged or acquitted for want of prosecution	52,848	30
Discharged or acquitted on other grounds ...	54,229 ...	30
Convicted, committed or referred ...	70,772	40
Total	178,040	...

These percentages are the same as in the preceding year.

Proportions of persons convicted &c., in each district.

30. The following table gives the percentages for each district of the number of persons convicted to the total number of accused, whose cases were disposed of during each of the past two years :—

District.	Percentage of persons convicted, committed or referred.		District.	Percentage of persons convicted, committed or referred.	
	1884.	1885.		1884.	1885.
Delhi	45	35	Rawalpindi	39	37
Gurgaon	36	34	Jhelum	34	32
Karnál	46	47	Gujrát	31	32
Hissar	54	52	Shahpur	31	37
Rohtak	47	50	Mooltan	59	59
Sirsa	58	...	Jhang	34	39
Umballa	46	38	Montgomery ...	48	47
Ludhiána	25	28	Muzaffargarh ...	44	43
Simla	76	62	Dera Ismail Khan ..	62	49
Jullundur	35	43	Dera Gházi Khán ...	47	46
Hoshiárpur	19	23	Bannu . .	49	49
Kángra	50	43	Peshawar	49	51
Amritsar	24	33	Hazára ...	42	53
Gurdáspur	23	22	Kohat	61	62
Sialkot	33	37			
Lahore ...	40	33			
Gujránwala ...	36	35			
Ferozepore	32	40	Total ...	40	40

The general result for the whole Province is the same in both years; and the differences in individual Districts do not appear to call for remark. Gurdaspur (22) and Hoshiarpur (23) as usual show the lowest percentages of convictions; but this percentage must always depend on the prevailing form of crime in each District. In Amritsar there is a satisfactory rise from 24 to 33.

Results of trials before the various classes of Magisterial Courts

31. The following statement shows the general results of the trials in the Criminal Courts according to the classes of the officers presiding over them :—

	Number of persons disposed of.		Percentage of persons convicted, committed or referred.	
	1884.	1885.	1884	1885.
District Magistrates	7,085	6,453	59	54
Assistant and Extra Assistant Commissioners .	59,571	61,118	39	39
Tahsildars	64,675	61,773	33	36
Naib-Tahsildars	2,903	5,085	42	36
Cantonment Magistrates	8,219	8,392	74	79
Canal Officers and other Special Magistrates ...	1,355	2,046	69	74
Boards of Honorary Magistrates	19,154	20,349	40	35
Honorary Magistrates sitting singly	10,804	12,824	38	33
Purely Civil Courts (Small Cause Court and Munsiffs)	108	...	57	
Total ...	173,874	178,040	39	40

Pending files.

32. The following statement shows for each of the past three years the number of cases for disposal, disposed of, and pending at the close of the year :—

Year.	For disposal.	Disposed of.	Pending.
1883 ...	88,396	87,199	1,197
1884 ...	80,849	79,810	1,039
1885 ...	80,376	79,330	1,046

The number of persons awaiting trial in Magistrates' Courts at the close of the year under report was 2,533; and at the close of 1884, 2,640. The number of cases that had been pending in Magistrates' Courts for more than three months was 8.

Average duration of trials

33. The average duration of trials in Magistrates' Courts was, as usual, 8 days for the whole Province. The averages for the different classes of Courts were as follows :—

		Days. 1884	Days. 1885
Special Magistrates		3	4
Honorary Magistrates sitting singly	2nd and 3rd class	7	8
	1st class ...	8	9
Benches of Magistrates .		6	5
Stipendiary Magistrates other than Chief Magistrates of Districts	2nd and 3rd class	8	8
	1st class	8	8
District Magistrates .	Under their ordinary powers	7	9
	Under their enhanced powers (Sec. 30, Criminal P. Code).	16	18

The high average duration in the Amritsar District was the subject of comment in the Reports of 1883 and 1884; and it is satisfactory to find that it has been reduced from 20 days in 1884, to 12 in 1885. The highest averages for the past year are in Amritsar and Shahpur (each 12 days).

34. The cases disposed of during 1885 consisted of—

Details of disposals Summary and regular trials.

578 inquiries into Sessions cases;
47,449 summons cases; and
31,303 warrant cases.

The details of regular and summary trials are as follows:—

Court.	Tried Regularly. 1884. Number	Tried Regularly. 1884. Percentage	Tried Regularly. 1885. Number.	Tried Regularly. 1885. Percentage	Tried Summarily. 1884. Number.	Tried Summarily. 1884. Percentage	Tried Summarily. 1885. Number.	Tried Summarily. 1885. Percentage
District Magistrates	3,035	89	2,579	91	380	11	250	9
Boards of do.	6,896	76	7,293	78	2,167	24	2,025	22
Cantonment do.	2,469	59	3,400	76	1,711	41	1,091	24
Other do.	61,611	98	60,873	98	1,139	2	1,241	2

The decrease in the proportion of cases tried summarily by Cantonment Magistrates must be due to the fact that fewer of these officers exercised summary powers during the year 1885 than in 1884.

E.—Distribution of Original Criminal Business.

Distribution of work between the various classes of Judicial officers.

35. The annexed table shows the distribution in each of the three last years of the original Criminal business between the various classes of tribunals (except the Chief Court and Courts of Session), with the percentages and the average number of cases disposed of by each description of Court :—

Description of Court or Officer exercising powers.	Cases disposed of.			Percentage.			Average number of cases decided by officers of each grade.		
	1883.	1884.	1885	1883.	1884.	1885.	1883.	1884.	1885.
Special Magistrates ...	695	616	858	0·8	0 8	1·1	18	18	19
Honorary Magistrates sitting singly	6,733	4,881	5,412	7·7	6 1	6 8	104	81	87
Boards of Honorary Magistrates	9,301	9,063	9,525	10·7	11·5	12·0	423	378	433
Naib-Tahsildars with judicial powers	1,909	1,196	1,818	2·2	1·5	2·3	112	85	140
Tahsildars	27,844	27,176	25,343	31·9	34·0	31·9	223	221	204
Judges of Small Cause Courts and Munsiffs	37	157	...	0·1	0·2	...	...	...	...
Cantonment Magistrates ...	5,076	4,183	4,764	5·8	5·2	6·1	564	465	529
Extra Assistant Commissioners	22,521	21,724	22,459	25·8	27·2	28·4	223	259	242
Assistant Commissioners ...	6,761	5,812	4,615	7·8	7·3	5·8	199	232	220
District and Subordinate Judges	2,807	1,562	1,581	3·2	1·9	1·9	128	71	116
District Magistrates ...	3,515	3,440	2,955	4·0	4·3	3·7	110	108	95

The following are the percentages (on the whole number of cases disposed of by Magistrates) of the amount of work done by each class of officer or Court during the year 1885 :—

	Per cent.
Tahsildars	31·9
Extra Assistant Commissioners	28·4
Honorary Magistrates and Boards ...	18·8
Assistant Commissioners . .	5·8
District Magistrates ...	3·7
Others ...	11·4

Work done by Honorary Magistrates

36. The Honorary Criminal Courts disposed of 18 per cent. of the whole number of cases decided by the Magisterial Courts of the Province, the proportions being in 1883 and 1884, 18 and 17, respectively.

The following table shows the number of cases decided by the Honorary Magistrates who, sitting singly, disposed of most work :—

District.	Name of Magistrates.	Powers.	Number of cases disposed of
Ludhiana ...	Shahzada Nadir	2nd Class ..	574
Amritsar ..	Sardar Ajit Singh, C. I. E., Honorary Extra Assistant Commissioner	1st „ ...	424
Kohat ...	Nawab Sir Khawaja Muhammad Khan, K. C. S. I.	2nd „ ...	310
Lahore ...	Fakir Sayad Jamal-ud-din	1st „ ...	296
Ludhiana ..	Ahsan Shah	3rd „ ...	220
Amritsar ...	Haji Ghulam Hossein Khan, Honorary Extra Assistant Commissioner ...	2nd „ ...	217
Kangra ...	Raja Amar Chand...	1st „ ...	179
Kohat ...	Muhammad Zaffar Khan, K. B. ...	2nd „ ...	178
Ferozepore ...	Sodhi Man Singh, Honorary Assistant Commissioner	1st „ ...	158
Gurgaon .	Muhammad Siraj-ud-din Haidar Khan ...	2nd „ ...	157
Kangra ...	Raja Jai Chand	3rd „ ...	155
Hoshiarpur ...	Bedi Sujan Singh	2nd „ ...	150
Lahore ...	Sirdar Narindar Singh	3rd „ ...	131
Dera Ghazi Khan ...	Nawab Imam Bakhsh Khan	1st „ ...	122
Gurgaon ...	Hardial Singh	2nd „ ...	118
Ferozepore ...	Sodhi Indar Singh...	2nd „ ...	109
Ludhiana ...	Sardar Uttam Singh	2nd „ ...	107
Sialkot ...	Sardar Richpal Singh	2nd „ ...	105
Peshawar ...	Nawab Muhammad Sarfraz Khan ...	2nd „ ...	104
Jullundur .	Sardar Ajit Singh	2nd „ ...	103
Sialkot ..	Sardar Dyal Singh	2nd „ ...	103

Most of these names appear in the Report of last year, the principal additions to the staff of unpaid Magistracy being Fakir Sayad Jamal-ud-Din, Honorary Extra Assistant Commissioner, and Sardar Narindar Singh, at Lahore; and Haji Gholam Hossein Khan, Honorary Extra Assistant Commissioner, at Amritsar.

Benches of Honorary Magistrates.

37. The following statement gives the number of cases disposed of in each of the last two years by the various Benches of Honorary Magistrates:—

District.	Board.	Powers.	Number of cases disposed of. 1884.	1885.
Delhi ...	Delhi	2nd Class...	1,690	1,279
	Sonepat	3rd „ ...	59	60
Gurgaon ..	Rewari	3rd „ ...	100	124
Rohtak .	Rohtak	3rd „ ...	31	43
	Jhajjar . . .	3rd „ ...	66	124
	Bahadargarh	3rd „ ...	41	65
	Beri	3rd „ ...	...	...
Jullundur ..	Jullundur	2nd „ ...	493	515
Amritsar ...	Amritsar	2nd „ ...	1,658	2,257
Gurdaspur ...	Batala	2nd „ ...	238	...
Sialkot ...	Baddoke	3rd „ ...	270	272
	Raya	3rd „ ...	415	325
Lahore ...	Lahore ...	2nd „ ...	923	909
Gujranwala ...	Gujranwala	2nd „ ...	341	283
	Wazirabad	2nd „ ...	140	136
	Manawala	1st „ ...	26	3
Ferozepore ...	Ferozepore	3rd „ ...	252	291
Rawalpindi ...	Rawalpindi	3rd „ ...	815	628
Mooltan ...	Mooltan	3rd „ ...	437	441
Muzaffargarh ...	Muzaffargarh	3rd „ ...	230	123
Dera Ismail Khan	Dera Ismail Khan	2nd „ ...	72	44
Dera Ghazi Khan .	Dera Ghazi Khan	3rd „ ...	128	134
Peshawar .	Peshawar ...	3rd „ ..	527	535
Kohat ...	Bazai	2nd „ ...	111	18

Average number of cases decided by Subordinate Magistrates of each class

38. The average number of cases decided by each Officer exercising Subordinate Magisterial powers was as follows in each of the last three years:—

	1883.	1884.	1885.
Tahsildars	223	221	204
Cantonment Magistrates	564	465	529
Extra Assistant Commissioners ...	223	259	242
Assistant Commissioners	199	232	220

These figures do not call for remark.

Magistrates of Districts

39. Magistrates of Districts disposed of considerably fewer cases than in either of the two preceding years, in exercise of their enhanced and also of their ordinary powers.

The following is an abstract of the Criminal cases of all kinds disposed of by District Magistrates in each of the last two years:—

Year	In exercise of Enhanced powers.	Ordinary powers	With the assistance of a Council of Elders.	In exercise of Appellate powers.
1884	629	1,999	812	3,693
1885	568	1,590	797	4,190
+ -	−61	−409	−15	+497
Average for each District 1885	18	51	133	135

The following table shows the details for each District :—

District.	Under enhanced powers.		Under ordinary powers.		With the assistance of a Council of Elders.		Under Appellate powers.	
	1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.
Delhi	14	13	14	50	...	...	133	146
Gurgaon	12	12	45	58	...	...	127	101
Karnal	6	9	36	105	...	...	117	113
Hissar	10	6	40	30	...	...	45	58
Rohtak	24	14	72	39	...	...	71	95
Sirsa	6	...	130	...	...	...	39	...
Umballa	24	19	22	44	...	...	164	190
Ludhiana	28	23	61	52	...	...	81	130
Simla	4	3	45	28	...	...	...	3
Jullundur	21	5	34	20	...	...	119	119
Hoshiarpur... ...	9	8	61	34	...	...	182	218
Kangra	12	13	16	13	...	...	61	73
Amritsar	32	49	70	57	...	...	223	192
Gurdaspur	8	6	40	22	...	...	79	78
Sialkot	21	27	104	58	...	...	359	367
Lahore	47	71	76	74	...	...	166	206
Gujranwala... ...	42	21	211	38	...	...	104	123
Ferozepore	39	15	23	52	...	...	146	198
Rawalpindi... ...	22	22	71	44	...	...	234	247
Jhelum	30	13	92	41	...	...	82	217
Gujrat	20	30	16	114	...	...	137	185
Shahpur	11	23	79	62	...	...	121	145
Mooltan	46	30	96	83	...	...	139	223
Jhang	17	14	73	83	...	...	133	132
Montgomery ...	11	18	22	56	...	...	75	126
Muzaffargarh ..	18	20	43	57	...	...	108	87
Dera Ismail Khan ...	27	7	90	25	36	21	57	52
Dera G. Khan ...	17	9	66	15	70	60	85	66
Bannu	13	7	53	5	239	253	102	90
Peshawar	8	30	19	52	155	157	63	79
Hazara	20	20	76	144	89	122	72	73
Kohat	10	11	103	35	223	184	69	58
Total ...	629	568	1,999	1,590	812	797	3,693	4,190

F.—Special Jurisdiction of Magistrates.

District Magistrates' powers under Section 30, Criminal Procedure Code.

40. District Magistrates disposed of 568 cases in exercise of powers conferred under Section 30, Criminal Procedure Code, as against 629 in 1884. Of these 271, or 48 per cent., were cases triable exclusively by the Court of Session ; and 297, or 52 per cent., were other cases in which the District Magistrate had to pass a sentence beyond the powers of a Magistrate of the first class. The number of persons tried by Magistrates under their enhanced powers was 1,008. Of these 174, or 17 per cent., were acquitted or discharged ; 511, or 51 per cent., convicted and sentenced to punishments which did not require the confirmation of the Court of Session; and the sentences of 323, or 32 per cent., were referred for such confirmation. Of the sentences referred 254, or 78·6 per cent., were confirmed, 53 were modified, 5 were annulled, and 11 were pending decision at the close of the year.

The average duration of cases tried by District Magistrates under their enhanced powers was 18 days, as against 16 in 1884, and 22 in 1883. It was highest in Dera Ghazi Khan (55), Ludhiana (50), Bannu (45), and lowest in Simla (3).

In view of the heavy Civil Appellate work that now falls upon Divisional Courts it has become a matter of even greater importance than before that District Magistrates should dispose under these powers of all cases that they can adequately deal with. This question in connection with the Districts of the Peshawar Division has formed the subject of a recent correspondence

between the Court and Government. Elsewhere very few cases have been committed to the Court of Session which could have been disposed of by District Magistrates under their enhanced powers, unless when this was unavoidable, because an officer in temporary charge of a District was not invested with these powers.

European British subjects

41. The number of European British subjects brought to trial before Magistrates during the year was 121, as against 93 in the preceding year, and 152 in 1883. As in the preceding year, a large number of the charges were of petty offences, one third being under Section 352, Indian Penal Code. Of those brought to trial 68 were convicted, 49 acquitted or discharged, and 4 committed to the Chief Court.

Frontier Regulations

42. The following statement shows the number of cases disposed of under the various Frontier Regulations in the Districts to which they apply during the past and preceding years :—

District	Regulation I of 1872, Section 3.		Regulation I of 1872, Section 4		Regulation I of 1872, Section 8		Regulation IV of 1873, Section 2.		Regulation VII of 1873, Section 6		Regulation III of 1873.	
	Proceedings against villages for suppression of evidence or harbouring criminals		Cases in which persons were deported on account of quarrels likely to lead to bloodshed		Adultery		References to Councils of Elders		Crossing the Frontier		Hazara Tenancy Regulation	
	1884	1885	1884	1885	1884	1885	1884	1885	1884	1885	1884	1885
Dera Ismail Khan	.				3	3	34	15	2	7	.	...
Dera Ghazi Khan		1	2		2	11	66	53				
Bannu	4	7			2	2	234	247		..	..	
Peshawar	5	5					150	152			.	1
Hazara	1	1			2	3	89	122	2			...
Kohat ..	5	2		4	1		217	178			..	...
Total	15	16	2	4	10	19	790	767	4	7		1

There is but little difference in the figures of the two years.

References to Jirgás or Councils of Elders

43. The results of the references under Regulation IV of 1873, Section 2, in each of the past two years, were as follows :—

District.	Number of persons tried		Number of persons convicted		Percentage of convictions	
	1884	1885	1884.	1885	1884	1885.
Dera Ismail Khan	69	42	56	40	81	95
Dera Ghazi Khan	102	97	83	90	81	93
Bannu	627	712	218	225	35	32
Peshawar	358	392	204	202	57	52
Hazara	175	223	112	146	64	65
Kohat	559	436	216	162	39	37

The percentages of persons convicted to persons tried was again very low in Bannu and Kohat; and very high in Dera Ismail Khan and Dera Ghazi Khan. As remarked in the Report of last year (para. 56), the Regulation leaves it entirely to the discretion of the Magistrate whether he should make the

reference or not in any particular case. In the two former Districts it is evident that cases are referred without much regard to the chances of conviction; while in the two latter only those cases are referred in which a conviction is probable. The District Magistrate of Bannu remarks that "the large percentage of discharges is due to the circumstance that the complainants often settle their cases before a *Jirgá* by accepting an oath of his innocence from the accused, or else withdraw of their own accord. There can be no doubt that either of these modes of settling a case is far more satisfactory in every way than the mere discharge of the accused."

Fines under the Frontier Regulations.

44. The following statement shows for the Frontier Districts the amount and average of the fines imposed, with the proportion of realization, and the amounts ordered to be paid as compensation out of the fines imposed in the year :—

District.	Fines imposed.		Average per person convicted.		Percentage realized.		Amount awarded as compensation.	
	1884.	1885.	1884	1885.	1884.	1885.	1884.	1885.
Dera Ismail Khan	3,128	2,235	56	56	82	22	2,972	2,235
Dera Ghazi Khan	7,049	4,822	85	53	53	87	5,523	3,383
Bannu	13,006	14,078	60	62	37	30	8,613	11,265
Peshawar	12,491	11,219	58	54	59	75	8,010	7,253
Hazara	3,280	2,655	27	18	52	55	1,660	2,046
Kohat	15,639	9,182	72	57	38	62	14,147	5,343
Total ...	54,593	44,191	60	51	48	55	40,925	31,525

The total and average amounts of fine and of compensation awarded were lower in 1885 than in 1884, and the percentage of realizations higher. In the above table only realizations effected in each year on account of the fines of that year are included. The following abstract gives a better idea of the extent to which these fines are actually realized :

Year	Amount of fines imposed.	Amount realized.		
		On account of the year	On account of previous years.	Total.
1883 ...	52,879	34,578	13,908	48,486
1884 ...	54,593	26,716	15,980	42,696
1885 ...	44,191	24,538	8,566	33,104

G.—Original Jurisdiction of the Court of Session.

Work disposed of by Courts of Session.

45. The following is an abstract of the number of cases disposed of and of persons tried by Courts of Session during each of the last two years :—

	Cases.		Persons.	
	1884	1885.	1884	1885.
Sessions trials	350	389	765	708
Cases referred by District Magistrates under Section 34, Criminal Procedure Code	225	258	290	331
Other references	42	22	47	28
Total ...	617	669	1,102	1,067

There were 10 Sessions and 3 Joint Sessions Judges (all of whom were also Civil Divisional Judges) during the greater part of the year. With effect from about the middle of November, the number of Joint Sessions Judges was increased in consequence of the special measures taken for disposing of the arrears of Civil Appellate work in Divisional Courts.

Sessions trials.

46. The annexed statement gives the general result of the trial of cases committed to the Courts of Session in each of the years 1882—85 :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	For disposal.				Disposed of						Pending at the end of the year					
	Persons.		Total		Persons				Total.							
Year	Remaining from previous year	Committed to the Sessions during the year	Cases	Persons.	Died, escaped or transferred.	Acquitted.	Convicted.	Convicted and refered to the Chief Court under Section 374, Criminal Procedure Code.	Cases	Persons.	Cases.	Persons.	Precentage of persons convicted.	Cases pending over 3 months.	Average duration.	Date of oldest case pending.
1885 .	72	758	451	830	3	306	264	135	389	708	62	122	56	3	55	12th Novr. 1883.
1884	130	707	391	837	5	307	374	79	350	765	41	72	59	6	60	12th Novr. 1883.
1883	98	684	401	782	2	268	276	106	333	652	68	130	59	5	49	14th Septr. 1883.
1882 ..	146	751	450	897	3	342	346	103	401	799	49	98	57	1	56	27th Septr. 1882

The results of the trials were as follows :—

	Number.		Percentage.	
	1884.	1885.	1884.	1885.
Number of persons—				
Convicted and sentenced to death	79	135	10	19
Convicted and sentenced otherwise .	374	264	49	37
Acquitted	307	306	.. 40	43
Died, &c.	5	3	.. 1	1

There is a slight falling off in the percentage of convictions as compared with 1884, but the proportion of capital sentences is considerably higher than in that year.

Average duration and pending files

47. The number of cases pending and of persons awaiting trial were somewhat higher than at the close of the preceding year, but were less than for 1883.

In the case shown in column 17 of the table in para. 46, the accused was a lunatic, and the trial had to be postponed under Section 465, C. P. C.

The average duration of trials in Courts of Session was 55 days as against 60 in 1884 and 49 in 1883.

References

48. In addition to 258 references to Courts of Session under Section 34, Criminal Procedure Code, there were 22 others, of which 14 were under Section 123, Criminal Procedure Code. The results of the former have already been noticed. The references under Section 34, Criminal Procedure Code, were disposed of in an average of 7, and the other references in an average of 4 days. All the orders referred under Section 123 of the Criminal Procedure Code were confirmed.

Use of Assessors.

49. Of the 389 Sessions trials 387 were held with the assistance of Assessors. In 313 cases the Judge agreed with all the assessors and with the majority in 13 cases; while in 12 cases he differed from two, and in 49 cases from all three, assessors.

European British subjects.

50. There were no trials of European British subjects held in Sessions Courts during the year under report.

H.—Witnesses.

Number of witnesses examined

51. The following are the details of the total number of witnesses examined by all Courts in the two years 1884 and 1885:—

	1884	1885.
District Courts	226,881	236,295
Sessions Courts	4,770	5,746
Chief Court	49	36

Detention of witnesses in Courts of Magistrates.

52. The details of the periods during which witnesses were detained in District Courts are given below:—

	Percentage.	
	1884.	1885.
Discharged on the first day ..	89·8	90·7
" " second "	8·1	6·9
" " third "	1 6	1·7
Detained more than three days ...	0·5	0·7

The following districts show the largest number of detentions for more than three days:—

Shahpur	314
Kohat	135
Mooltan	128
Jhang	110
Dera Ghazi Khan	107

The total number of witnesses detained for more than three days was 1,549 (as compared with 1,098 in 1884 and 1,421 in 1883); and of these 1,085 were discharged on the fourth day, and the rest from the fifth to the fifteenth day, 31 having been discharged in the Shahpur District between the ninth and fifteenth days. The District Magistrate Shahpur says that the detentions were partly due to one of the Extra Assistant Commissioners at the head-quarters being overworked, and partly to the fault of one of the Tahsildars. In Kohat 55 witnesses were detained for six to eight days in the Court of the District Magistrate, who explains that the delay in the disposal of the cases was principally owing to press of important political work.

Dieting of witnesses

53. The annexed table gives the details, for each District, of the dieting of witnesses who attended the Criminal Courts:—

District	Number of witnesses who attended the Courts.	Total number of witnesses examined	Actual number of witnesses dieted.	Number of witnesses dieted		Amount of diet money paid		Average cost of each witness dieted.						Percentage of witnesses dieted to those examined.
				By Police	By Magistrate	By Police	By Magistrate	By Police			By Magistrate.			
								Rs	A	P.	Rs.	A	P	
Delhi	7,075	6,903	1,173	678	653	112	242	0	2	8	0	5	11	17
Gurgaon	5,603	5,364	1,685	1,125	1,177	416	575	0	5	11	0	7	10	31
Karnal	5,198	5,003	1,851	1,628	1,096	282	446	0	2	9	0	6	8	37
Hissar	6,184	5,964	1,585	1,154	718	271	454	0	3	9	0	10	1	27
Rohtak	5,480	4,875	1,662	1,306	871	240	364	0	2	11	0	6	8	34
Sirsa												...		
Umballa	5,837	5,628	2 544	2,007	1,528	587	600	0	4	8	0	6	3	45
Ludhiana	5,903	5,382	2,569	429	2,463	111	1,047	0	4	1	0	6	10	48
Simla	2,468	2,413	154		154		179				1	2	7	6
Jullundur	9,408	9,370	2,616	1,067	1,883	184	772	0	2	9	0	6	7	28
Hoshiarpur	6,395	6,355	1,438	1,253	892	329	437	0	4	2	0	7	10	23
Kangra	5,931	5,712	3,142	663	2,605	194	1,011	0	4	8	0	6	2	55
Amritsar	17,017	13,591	4,086	2,692	1,394	376	707	0	2	3	0	8	2	30
Gurdaspur	5,849	5,849	2,956	1,740	2,062	394	502	0	3	7	0	4	4	51
Sialkot	12,478	12,390	2,723	1,724	1,749	382	731	0	3	7	0	6	8	22
Lahore	15,498	15,498	5 434	3,768	1,666	787	779	0	3	4	0	7	5	35
Gujranwala	8,055	7,898	2,444	1,973	637	473	351	0	3	10	0	8	10	31
Ferozepore	10,075	10,041	3,312	2,145	1,167	436	452	0	3	3	0	6	2	40
Rawalpindi	11,745	9,961	3,311	1,773	1,909	441	1,611	0	4	3	0	14	8	33
Jhelum	9,613	9,565	1,433	546	950	146	886	0	4	3	0	14	11	15
Gujrat	8,463	7 753	2,894	2,605	492	462	183	0	2	10	0	5	11	37
Shahpur	7,998	7,779	1,833	1,273	898	384	572	0	4	10	0	10	2	24
Mooltan	11,852	10,841	2,052	887	1,589	322	947	0	5	10	0	9	6	19
Jhang	4,012	4,012	1,222	1,096	256	321	117	0	4	8	0	7	4	30
Montgomery	6 364	6,364	3,188	3,115	718	621	561	0	3	2	0	12	6	50
Muzaffargarh	7,218	6,949	2,135	1,497	1,082	529	548	0	5	6	0	8	1	31
Dera Ismail Khan	4,153	4,026	879	3	879	1	755	0	5	4	0	13	9	22
Dera Ghazi Khan	7,658	7,658	2,702	15	2,687	12	1,170	0	12	9	0	6	11	35
Bannu	6,486	6 214	1,036	184	1,110	67	441	0	5	10	0	6	4	17
Peshawar	13,264	13,123	1,870		1,870		1,021				0	8	8	14
Hazara	5,656	5 592	2,378	1,561	1,846	294	590	0	3	1	0	5	1	42
Kohat	8,408	8,252	1,606	29	1,577	5	576	0	2	9	0	5	10	19
Total 1885	247,404	236,295	69,913	39,936	40,478	9,179	19,687	0	3	8	0	7	9	29
Total *1884*	*236,872*	*226,881*	*66,221*	*37,169*	*39,970*	*8,910*	*20,650*	*0*	*3*	*10*	*0*	*8*	*3*	*29*

It will be seen that in Gurdaspur, Lahore, Jhang, Montgomery and Dera Ghazi Khan the returns show that every witness who attended the Criminal Courts was examined, a result that is at least improbable. The District Magistrate Lahore is the only officer who has noticed the point; and he says that the result can hardly be credited. In many other Districts too the difference between the figures entered in the first two columns of the above statement is very slight. It appears doubtful whether the standing orders regarding the maintenance and check of registers of witnesses are properly observed; and District Magistrates would do well to give the matter their attention.

The small percentage of witnesses dieted in the Simla Courts is due to the peculiar circumstances of that District. In the following Districts also the percentage was below 20 :—

Peshawar	.. ...	14
Jhelum	... ...	15
Bannu	... ..	17
Delhi	...	17
Mooltan	... ...	19
Kohat	... ...	19

The Peshawar returns show a great improvement, the percentage for 1884 being only 6; and even better results would have been attained, but for the fact that attention was not drawn to the matter till half the year had passed. The Sessions Judge remarks that "the dieting of witnesses by the Police and the Magistrates appears now to be on a more satisfactory footing." In Delhi, owing to the large proportion of the criminal work that is of a petty nature and disposed of by the city Magistrates, there must always be a great number of witnesses who are not dieted. The Sessions Judge also notices the very small proportion of

witnesses to whom some of the Tahsildars allowed diet money. In the remaining four Districts mentioned above, and in some others, the matter evidently requires attention, and District Magistrates should observe the action of the Subordinate Courts in this particular.

PART II.—PUNISHMENTS.

Details of punishments inflicted by the Courts

54. The following statement gives details of the punishments inflicted by the tribunals of the Province :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
			Persons Sentenced to												Persons ordered to find or give			Persons imprisoned in default of furnishing Security for good behaviour.	
				Transportation			Imprisonment.				Whipping		Fine						
							Rigorous												
Class of Tribunal	Year	Total number of persons punished	Death.	For life	For a term	Penal servitude.	With solitary confinement	Without solitary confinement	Simple	Forfeiture of property	In addition to other punishment	In lieu of other punishment.	With imprisonment	Without imprisonment	Security to keep the peace	Recognizance to keep the peace	Sureties for good behaviour	Rigorous	Simple
Magistrates Courts	1884	67,291					8,354	4,867	770	2	266	1,290	9,398	44,640	2,830	1,490	3,234	495	35
	1885	69,351					8,612	4,781	742	3	233	1,057	9,394	46,178	4,033	1,367	2,639	426	42
Sessions Courts	1884	706		130	73	2	392	44	1	1	13	2	163	19			42		
	1885	611		93	25		435	37	1	2	16	7	204				10	10	1
Chief Court	1884	66	51	13			2												
	1885	112	84	23			3	2											
Total	1884	68,062	51	143	73	2	8,748	4,913	777	3	279	1,292	9,561	44,658	2,830	1,490	3,276	495	35
	1885	70,071	84	116	25		9,050	4,820	743	5	248	1,064	9,658	46,175	4,033	1,367	2,645	436	43

Death and transportation

55 The number of sentences of death confirmed by the Chief Court under Section 374, Criminal Procedure Code, was 84, as compared with 51 in 1884, and 64 in 1883. Sentences of transportation for life or for a term have been in each of the last three years

	1883	1884	1885
For life ..	133	143	116
For a term	27	73	25

Imprisonment

56. The following are the details of the sentences of imprisonment according to the length of the term awarded, for the years 1884 and 1885 :—

		Number		Percentage	
		1884	1885	1884	1885
Not exceeding 15 days	..	1,574	1,647	11	11
" " 6 months	...	8,431	8,580	56	57
" " 2 years	...	4,271	4,174	28	28
" " 7 "	...	713	672	5	4
Above 7 "	...	19	19	...	..
Total	...	15,008	15,092	...	...

In 93 per cent. of the sentences the imprisonment was rigorous ; and in 63 per cent. of these solitary confinement was included.

Whipping

57. Fewer sentences of whipping were passed than in either of the two preceding years.

Year	In addition to Other punishment	In lieu of Other punishment
1883	281	1,369
1884 ...	278	1,292
1885 ..	248	1,064

The number of juveniles sentenced to whipping was 233 in 1885 as against 234 in 1884. Of the 233, 29 received this punishment as juvenile offenders under section 5, Act VI of 1864. The proportion of sentences of whipping to persons liable to the punishment was 11 per cent., as against 12 per cent. for 1884.

The following are details as to the number of stripes awarded :—

	1884	1885
Not exceeding 5 stripes	65	62
" 10 "	329	284
" 15 " ...	432	359
" 20 " ...	302	241
" 25 " ...	143 ...	114
" 30 , ..	299 ..	252

Fines imposed, compensation awarded to complainants &c

58. The following abstract shows the amount imposed in fines, the amount realized on account of fines, and the amounts awarded and paid in compensation in each of the past two years:—

	Fines.			Compensation.		
	Imposed	*Realized*	*Percentage*	*Awarded*	*Paid*	*Percentage*
	Rs	Rs		Rs	Rs	
1884	5,01,762	3,91,966	78	1,06,713	53,645	50
1885 ...	5,00,607	3,71,211	74	95,168	47,785	50

This abstract and the statement in para. 54 (columns 14 and 15) include fines imposed under the special Regulations in the Frontier Districts. The amount shown above as realized, includes realizations on account of previous years. Of the total amount of fines imposed, 19 per cent. in 1885, and 21 per cent. in 1884 were, it will be seen, awarded to injured parties &c., under Section 545, Criminal Procedure Code; and in each year one half of the amount so awarded was realized and paid away. These details include fines imposed under the Frontier Regulations (see para. 44 of this Report). The amounts awarded in 1885 under the Regulations and under the ordinary law were as follows:—

	Amount of fine		Percentage
	Imposed	Awarded as Compensation	
Under Frontier Regulations	44,191	31,525	71
Under ordinary law ..	4,70,406	61,790	13
Total ...	4,84,597	93,315	19

Details for districts

59. The following table gives the usual details as to fines for each District in the Province :—

1	2	3	4	5	6	7	8	9	10	11
DISTRICT.	Total number of persons fined		Total amount of fines imposed		Average amount of fine per head		Percentage of the fines imposed that were realized within the year		Percentage of fines imposed ordered to be paid in compensation.	
	1884	1885	1884	1885	1884	1885	1884	1885	1884	1885
Delhi	1,773	1,205	9,085	8,743	5	7	71	69	13	16
Gurgaon	1,097	890	7,741	4,980	7	6	63	78	8	7
Karnal ...	1,092	1,259	7,663	5,998	7	5	47	54	27	13
Hissar	1,292	1,510	9,039	8,040	7	5	58	57	13	9
Rohtak	794	893	7,072	6,875	9	8	74	78	5	6
Sirsa	708	...	5,280	...	7	..	58	...	24	...
Umballa	2,729	1,940	21,469	14,404	8	7	60	57	23	27
Ludhiana	1,427	1,618	12,738	12,025	9	8	67	61	23	15
Simla	1,917	1,474	5,213	5,931	3	4	79	48	14	32
Jullundur . .	1,971	3,064	9,042	11,618	5	4	78	77	10	8
Hoshiarpur .	1,093	1,511	10,125	9,955	9	7	58	79	7	9
Kangra	2,961	3,113	12,451	9,879	4	3	84	90	10	21
Amritsar	1,987	3,739	19,043	23,788	10	6	59	67	21	11
Gurdaspur	1,079	987	9,938	8,862	9	9	59	65	22	18
Sialkot ...	1,994	2,108	14,083	19,384	7	9	77	67	5	4
Lahore ..	2,938	2,617	29,063	24,107	10	9	59	62	11	8
Gujranwala	1,415	1,429	10,689	12,659	8	9	63	50	13	20
Ferozepore	2,101	2,759	15,802	24,200	8	9	62	53	18	18
Rawalpindi	4,679	3,467	35,117	26,608	8	8	60	60	19	19
Jhelum	1,988	1,861	24,588	17,184	12	9	60	61	6	5
Gujrat ..	1,383	1,541	11,866	14,848	9	10	60	54	4	5
Shahpur ...	1,243	1,312	11,971	16,398	10	12	54	49	9	8
Mooltan ...	2,555	2,574	20,832	15,589	8	6	66	62	14	9
Jhang . .	607	518	6,838	7,330	11	14	52	47	16	15
Montgomery ...	915	1,081	7,866	13,781	9	13	42	27	6	19
Muzaffargarh ...	763	878	7,709	8,153	10	9	59	71	19	10
Dera Ismail Khan..	707	713	13,283	12,790	19	18	59	51	37	38
Dera G Khan .	1,307	1,573	19,951	20,185	15	13	62	78	35	25
Bannu	1,464	1,282	31,313	26,275	21	20	62	52	34	47
Peshawar	2,799	3,014	31,623	46,124	11	15	70	61	32	33
Hazara	1,523	2,032	15,519	22,336	10	11	71	71	18	19
Kohat	1,646	1,607	32,263	25,548	19	16	57	74	61	33
TOTAL ...	53,947	55,569	4,86,275	4,84,597	9	9	63	62	22	19

The average amount of fine per head for the whole Province is in both years Rs. 9. The percentage of realizations within the year of the fines imposed during the year (which is all that the above statement shows) was 62 in 1885, and 63 in 1884. The low percentage of realizations shown for Montgonery in 1883 and 1884 was noticed in last year's Report. The percentage has fallen still lower in 1885 (from 42 to 27). The only other Districts which show a percentage of realizations short of 50 are—

Jhang		47
Simla		48
Shahpur	...	49

A better idea of the actual results attained in the work of realizing fines imposed by District Courts may be derived from the following abstract, in column 5 of which are shown the total amounts realized in each year on account of the fines imposed in that and in previous years :—

District Courts

1	2	3	4	5	6
	AMOUNT OF FINES.				
YEAR	Imposed.	*Realized*			Percentage of Column 5 on Column 2
		On account of year.	On account of past year	Total	
	Rs	Rs	Rs	Rs	
1882 ...	6,13,318	3,93,080	92,838	4,85,918	79
1883 ...	5,59,492	3,51,447	94,754	4,46,201	80
1884 ..	4,86,275	3,04,498	80,688	3,85,186	79
1885 ...	4,84,597	3,00,985	64,160	3,65,145	75

In the Montgomery District the total realizations in 1885 amounted to 42 per cent of the fines imposed in that year.

Fines in Courts of Sessions

60. The details of the fines imposed, realized &c., in the Courts of Session during each of the past two years were as follows :—

1	2	3	4	5	6
YEAR	Total number of persons fined	Total amount of fines imposed	Average amount of fine per head	Percentage of fines imposed that were realized in the year	Percentage of fines imposed, ordered to be paid in compensation.
		Rs	Rs.		
1884	182	15,487	85	25	12
1885	264	16,010	61	11	11

The following statement gives information as to total realizations similar to that shown in the last paragraph for District Courts :—

Sessions Courts

YEAR	AMOUNT OF FINES				
	Imposed	*Realized*		Total	Percentage of total realization on amount imposed in the year
		On account of year.	On account of past year.		
	Rs.	Rs.	Rs.	Rs	
1882 ...	32,514	6,826	2,758	9,584	29
1883 ...	13,726	4,750	4,498	9,248	67
1884 ...	15,487	3,948	2,832	6,780	44
1885 ...	16,010	1,714	4,352	6,066	38

PART III.—APPELLATE JURISDICTION OF COURTS SUBORDINATE TO THE CHIEF COURT.

A.—District Courts.

Number of appeals instituted

61. The number of Criminal Appeals instituted in District Courts, and the number of appealable sentences inflicted during each of the last four years, were as follows :—

Year	1882	1883	1884	1885
Appealable sentences	46,318	45,392	40,036	41,292
Number of appellants	4,311	6,064	6,320	7,431
Percentage	9	13	16	18

The effect on the institution of appeals of the change introduced by the Criminal Procedure Code of 1882, which took away from Subordinate Appellate Courts the power of enhancing sentences, has been noticed in the Reports of the last two years. The returns of 1885 show a further large increase in the number of appeals instituted in District Courts, which amounts to 17 per cent. on the figures of 1884. The increase was most marked in the Ludhiana, Lahore, Jhelum, Gujrat, Mooltan, Montgomery and Hazara Districts; but the figures of 1885 are higher for almost every District than those of 1884. The total number of appealable sentences exceeded that of the preceding year; but the percentage of appeals to appealable sentences rose from less than 16 to more than 18. The Sessions Judge Amritsar remarks that "the only marvel is that every person convicted does not appeal, where he cannot lose anything and may gain so much;" and it is scarcely to be wondered at that 18 persons out of every 100 who could appeal, do so, when the expense involved is so slight, and there is always the chance that the Appellate Court may reverse or modify to the benefit of the appellant the order of the lower Court.

Disposal of Appellate business by District Courts

62. The number of cases disposed of during the year was 4,288, involving 7,359 persons, and the file pending at the close of the year consisted of 122 cases, involving 210 persons. These figures of pending cases are slightly higher than in the preceding year, but the proportions to the totals for disposal are much the same for the last three years. The highest pending files were in Ludhiana (21 cases, 33 persons), and in Ferozepore (15 cases, 44 persons). The average duration of appeals was 10 days as against 9 in the two preceding years. It was high in Karnal (23 days), Ludhiana (22 days), and Montgomery (16 days). No appeal had been pending over three months at the close of the year.

Agency by which Appellate work was disposed of

63. The annexed statement shows for each district the number of appeals heard by the District Magistrate and by his Assistants, and the manner in which they were disposed of :—

1	2	3	4	5	6	7	8	9	10	11	12
District	Appeals disposed of						Percentage of persons whose				Average duration of appeals
	By Deputy Commissioners		By District & Sub-Judges		By Assistant and Extra Asstt Commrs						
	Cases	Persons	Cases	Persons	Cases	Persons	Appeals were rejected	Sentences were confirmed	Sentences were reduced or altered	Sentences were reversed, proceedings quashed, or new trial ordered.	
Delhi	146	146	13	13			29	32	6	33	9
Gurgaon	101	104					59	3	16	22	10
Karnal	113	113					18	20	10	52	23
Hissar	58	111					27	39	21	13	6
Rohtak ..	95	184					17	52	3	28	6
Umballa . ..	190	301					..	56	10	34	10
Ludhiana	130	233					51		21	28	22
Simla ..	3	4									6

1	2	3	4	5	6	7	8	9	10	11	12
	Appeals disposed of						Percentage of persons whose				
District.	By Deputy Commissioners.		By District & Sub-Judges.		By Assistant and Extra Asstt. Commrs.		Appeals were rejected.	Sentences were confirmed.	Sentences were reduced or altered.	Sentences were reversed, proceedings quashed, or new trial ordered.	Average duration of appeals.
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.					
Jullundur	119	215	..	.	..	...	3	79	9	9	9
Hoshiarpur	218	411	32	68	(Out post)		52	19	7	22	9
Kangra	73	97	17	24	8	9	64	1	14	21	7
Amritsar	192	431	..	...	...	...	19	39	10	32	9
Gurdaspur	78	116	..	..	...	...	...	64	3	33	7
Sialkot	367	549	...	...	...	...	...	53	18	29	6
Lahore	206	346	..	...	..	..	1	54	9	36	5
Gujranwala	123	251	..	...	...	..	2	74	7	17	8
Ferozepore	198	319	7	11	...	...	2	71	5	22	5
Rawalpindi	247	515	...	...	(Out post)		41	...	19	40	7
Jhelum	217	351	...	...	14	47	12	43	13	32	14
Gujrat	185	428	5	27	—	...	10	58	5	27	5
Shahpur	145	263	...	.	...	...	21	26	23	30	8
Mooltan	223	322	2	3	..	..	45	15	20	20	9
Jhang	132	170	...	...	..	.	58	12	11	19	10
Montgomery .	126	169	..	.	..	.	3	77	9	11	16
Muzaffargarh	87	108	...	...	...	...	47	4	17	32	8
Dera Ismail Khan ...	52	74	...	...	..	...	15	31	9	45	7
Dera Ghazi Khan ..	66	87	..	..	..	...	35	10	16	39	3
Bannu	90	211	...	...	...	..	63	6	5	26	14
Peshawar ...	79	154	..	..	...	..	..	67	9	24	9
Hazara	73	259	...	...	..	..	1	70	27	2	5
Kohat	58	115	...	...	...	...	26	36	3	35	14
Total ... 1884	3,693	5,985	121	175	103	167	28	36	11	25	9
Total ... 1885	4,190	7,157	76	146	22	56	22	39	12	27	10

The Criminal appellate work of Districts was thus, it will be seen, kept almost entirely in the hands of District Magistrates.

Results of appeals.

64. Of the persons appealing 61 per cent. were wholly unsuccessful, as against 64 in 1884, and 60 in 1883. The proportion was highest in Jullundur (82 per cent.) and lowest in Karnal (38 per cent.). From the remarks of Sessions Judge Umballa it appears that Mr. Drummond, during the time that he held the post of District Magistrate Karnal, modified or reversed the order in every case that he disposed of; elsewhere, the results shown in columns 8 and 9 taken together are fairly even, although it is evident that the procedure of District Magistrates differs a good deal. Thus in Ludhiana and Rawalpindi the returns show that the District Magistrate interfered in every case in which he did not reject the appeal summarily under Section 421, Criminal Procedure Code, while in Umballa, Gurdaspur, Sialkot and Peshawar not a single appeal was summarily rejected.

Application for revision.

65. The following abstract shows the revision work of the District Courts in each of the two past years:—

1	2	3	4	5	6	7	8	9
Year.	*Number of accused persons in respect of whom application was made for revision.*			Applications rejected including those which the Courts have refused to submit to the Chief Court.	Applications dealt with under Sec. 436 or 437, Criminal Procedure Code.	Cases referred to the Chief Court under Sec. 438, Criminal Procedure Code.	Applications pending.	Average durations.
	On behalf of accused.	On behalf of complainant.	Total.					
1884	429	356	785	595	105	63	22	7
1885	505	1,283	1,788	1,330	312	104	42	8

The differences between the figures of the two years shown in columns 3 and 5 are due to the fact that *all* applications made by complainants are now for the first time shown, whether any action was taken on them or not.

B.—Courts of Session.

Appellate work of Courts of Sessions

66. The following statement gives the details of the appellate work of the Courts of Session :—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
	FOR DISPOSAL.						DISPOSED OF												Pending at the end of the year.				
									PERSONS.						TOTAL.								
	Pending from last year.		Instituted during the year.		Total.				Appeals rejected under Section 421, C. P. C						After directing further enquiry under Sec. 428, C. P. C.		Without directing further enquiry.						
YEAR	Cases.	Persons.	Cases.	Persons.	Cases	Persons.	Died, escaped, or transferred to another Court.	Appeals rejected otherwise than on the merits	Without calling for files	After perusal of files.	Sentence or order confirmed after hearing	Sentence reduced or order otherwise altered	Sentence or order reversed	New trial or commitment ordered.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Average duration of appeals.	Number of appeals pending more than three months.	Date of eldest appeal pending.
1885	132	177	4,022	4,786	4,154	4,963	16	55	105	1,445	1,640	439	1055	30	101	129	3,916	4,662	137	172	16	2	23-7-85
1884	161	179	3,991	4,876	4,152	5,055	1	47	325	1,784	1,259	402	953	17	57	76	3,963	4,808	132	177	19	1	13-9-84
1883	110	142	3,811	4,554	3,921	4,696		64	302	1,237	1,633	425	841	15	78	93	3,682	4,424	161	179	18		2-10-83

It will be seen that the number of persons appealing has fallen off slightly. The percentage of appeals to appealable sentences was 50 in 1884, and 45 in the year under report.

Disposal of business

67. The numbers of cases and of persons pending at the close of the year were 137 and 172, or almost exactly the same as for 1884. The average duration (16 days) was lower than in either of the two preceding years. It was highest in Rawalpindi and Peshawar (21 days), Lahore (19), and Derajat (18) Divisions. Only two appeals were pending for more than three months, both of which were instituted in the Derajat Sessions Court on the 23rd July 1885.

Results of appeals

68. Of the persons who appealed last year 68 per cent. were wholly unsuccessful, as against 70 per cent. in 1884, and 72 per cent. in 1883; while 22 per cent. obtained a complete reversal of their sentences; and 10 per cent. modifications of them, the figures for the past year being 20 and 10 per cent. respectively.

Revision work of Courts of Session

69. The following is an abstract of the revision work of the Courts of Session in each of the past two years :—

1	2	3	4	5	6	7	8	9
Year.	*Number of accused persons in respect of whom application was made for revision.*			Applications rejected including those which the Courts have refused to submit to the Chief Court	Committal or further enquiry ordered.	Cases referred to the Chief Court under Section 438, Criminal Procedure Code.	Applications pending	Average duration
	On behalf of accused.	On behalf of complainant.	Total.					
1884	298	71	369	307	18	30	14	16
1885	373	260	633	493	78	41	21	14

The increase in columns 3 and 5 is due to the same reasons as are given in paragraph 65 for the increase of applicants in District Courts.

PART IV.—CRIMINAL BUSINESS OF THE CHIEF COURT.

Original trials.

70. Three cases were tried by the Chief Court in exercise of its original criminal jurisdiction. In one the accused was charged under Sections 304 A. and 338, Indian Penal Code, and was acquitted. In the second accused was convicted of an offence under Section 304, Indian Penal Code, and sentenced to five years imprisonment; while in the third, the accused was convicted under Section 420, Indian Penal Code, and sentenced to four years rigorous imprisonment.

71. The following statement shows the work of the Chief Court as a Court of criminal reference (Section 374, Criminal Procedure Code). In order to make the comparison complete, the arrangement of Sessions Divisions has been taken as it stood on 1st January 1886. Some modifications of this were effected when the Divisional Courts were reorganized about the middle of November.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
		For disposal.		Disposed of.							Pending.		
						Persons.							
Divisions.	Year.	Cases.	Persons.	Cases.	Persons.	Conviction and sentence confirmed.	Conviction affirmed but sentence modified.	Convicted and sentenced under minor charge.	Acquitted.	Fresh trial ordered.	Cases.	Persons.	Average number of days each case lasted.
Delhi ...	1885	6	7	6	7	5	1	...	...	1	...	...	...
	1884	2	2	1	1	...	...	...	1	...	1	1	...
Umballa ...	1885	4	5	4	5	3	2	...	...	...	...	...	...
	1884	10	10	9	9	6	2	...	1	...	1	1	...
Jullundur ...	1885	12	14	10	12	7	4	...	1	...	2	2	...
	1884	10	12	8	9	8	...	...	1	...	2	3	...
Amritsar ...	1885	7	7	7	7	7	...	...	...	...	...	...	...
	1884	3	3	2	2	1	1	...	...	...	1	1	...
Sialkot ...	1885	5	5	2	2	2	...	...	...	...	3	3	...
	1884	...	...	...	...	...	...	...	...	...	...	...	...
Lahore ...	1885	15	16	10	11	6	3	2	...	...	5	5	...
	1884	5	7	3	4	4	...	...	...	...	2	3	...
Multan ...	1885	2	2	2	2	1	1	...	...	...	...	...	...
	1884	1	1	1	1	...	1	...	...	...	...	...	...
Rawalpindi ...	1885	23	42	16	30	23	4	1	1	1	7	12	...
	1884	15	27	11	16	14	1	...	1	...	4	11	...
Derajat ...	1885	19	22	14	16	11	1	...	4	...	5	6	...
	1884	17	18	16	17	11	3	...	3	...	1	1	...
Peshawar ...	1885	35	42	27	32	19	7	...	6	...	8	10	...
	1884	15	18	10	13	6	5	2	...	...	5	5	...
Total ...	1885	128	162	98	124	84	23	3	12	2	30	38	42
	1884	78	98	61	72	50	13	2	7	...	17	26	42
	1883	105	135	91	116	64	32	6	12	2	14	19	46

There has been a considerable increase in this branch of the work, principally from the Peshawar and Rawalpindi Divisions; but the figures of 1884 were unusually low.

The percentage of cases in which the Court confirmed the sentence of death was 68, as against 69 in 1884, and 55 in 1883.

The pending file was high owing to the receipt of a good many cases at the end of the year. The average duration was 42 days as in 1884.

Criminal appellate work

72. The number of Criminal appeals instituted in the Chief Court during each of the last five years is shown in this statement :—

Description of Courts	1881	1882	1883.	1884	1885.
From the orders of Courts of Session ..	294	277	252	225	284
Do do of Magistrates of Districts ...	420	454	250	256	270
TOTAL ...	714	731	502	481	554

The decrease in the number of appeals instituted in 1883 was explained in the Reports of 1883 and 1884. Of the appeals instituted in 1885, 4 were on behalf of Government from orders of acquittal. The appeals to the Court by persons convicted are shown in the annexed table, according to the description of the sentence appealed against.

1	2	3	4	5	6
YEAR	APPEALS FROM				
	Sentence of death or transportation for life	Sentence of imprisonment or transportation for 7 years or upwards	Sentence of imprisonment exceeding 3 years but less than 7 years	Sentence of imprisonment for 3 years or less than 3 years.	Total
1884 ...	145	93	164	79	481
1885 ...	191	77	176	106	550

The results of the appeals decided were as follows :—

Manner of disposal.	Number of persons.		Proportion to total number disposed of.	
	1884	1885.	1884.	1885.
Appellants died or their appeals were transferred	20	3	3·2	0·4
Appeals rejected	227	241	36·8	33·1
Sentences confirmed	217	285	35·2	39·1
Do. modified	79	75	12·8	10·3
Do. annulled	74	125	12·	17·1
TOTAL ...	617	729	...	...

The pending file at the close of the year consisted of 54 cases, affecting 71 persons, as against 55 appeals affecting 82 persons in 1884. Out of the pending file there is only one appeal pending for more than three months.

The average duration of the decided cases was 38 days in this year against 42 in 1884, 46 days in 1883, and 39 days in 1882.

Revision

73. The following table shows the criminal revision business of the Chief Court during each of the last three years :—

Year.	Pending from last year.		Instituted during the year.		Total		Disposed of.		Pending.	
	Cases	Persons	Cases.	Persons	Cases.	Persons	Cases.	Persons	Cases.	Persons
1883 ..	98	214	1,223	2,645	1,321	2,859	1,218	2,652	103	207
1884 ..	103	207	1,388	3,012	1,491	3,219	1,387	2,964	104	255
1885 ...	104	255	1,309	2,890	1,413	3,145	1,358	2,994	55	151

It will be seen that there has been a falling off in the institutions of 79 cases, affecting 122 persons, in the year under report from the preceding year. The manner in which the cases that were instituted came before the Courts is shown in the following abstract :—

Year	Number of cases.			Total.
	Reported by Sessions Judges and District Magistrates.	Instituted by petition.	Taken up by the Court of its own motion.	
1883 ...	112	1,083	28	1,223
1884	131	1,231	26	1,388
1885	149	1,130	30	1,309

There was thus a decrease of 101 cases (affecting 216 persons) instituted by petition.

The methods of disposal in 1884 and 1885 were as follows :—

Manner of disposal.	Number of persons disposed of		Percentage to total numbers disposed of.		Percentage of the persons disposed of on the numbers for disposal.	
	1884.	1885.	1884.	1885.	1884.	1885.
Applicants died or their applications transferred &c.	45	..	1	...	...	..
Applications rejected	1,872	1,934	63·	64·6	...	...
Orders confirmed	329	346	11	11·6	...	...
Sentences enhanced	39	47	2	1·6	...	...
Do modified	232	123	8·	4·1	...	...
Orders reversed or quashed ...	447	544	15·	18·1	...	...
Total ...	2,964	2,994	...	...	92·	95·

The average duration of the cases disposed of was 23 days, as against 26 days in 1884, 31 days in 1883, and 27 days in 1882. At the close of the year there were 55 cases affecting 151 persons pending, as against 104 cases affecting 255 persons at the end of 1884. Of the pending file there were 4 cases pending for more than 3 months; and the date of the oldest pending case was 5th August 1885.

Miscellaneous cases

74. In addition to the above the Court disposed of 60 Miscellaneous cases, against 31 in the previous year. The files of 103 cases were called for on the periodical returns and inspected by the Judges.

PART V.—PROCEDURE, SUPERINTENDENCE, &c.

Procedure—Habitual offenders

75. The points of procedure (examination of complainants, recording of evidence, &c.,) that have been noticed in the Reports of the past two years appear to receive due attention from Sessions Judges and Subordinate Courts. Proper measures are now taken by most District Magistrates in order to secure the adequate punishment of habitual offenders, and comparatively few cases have come before the Court in the year under report in which it was necessary to interfere for the purpose of enhancement, although all cases of second convictions under Chapters XII & XVII, Indian Penal Code, come under review on the monthly statements.

Superintendence and control.

76. The appointment of separate Divisional and Sessions Judges cannot fail to have a good effect on the efficiency of the Subordinate Criminal Courts of the Province by subjecting their work to constant and systematic control. The great press of Civil Appellate work during 1885 left Sessions Judges very little leisure for special inspections of Courts; but the reports generally show that these officers have been able to devote a good deal of attention to the work of supervision; and the arrangements introduced at the close of the year for the more speedy disposal of the Civil word of Divisional Courts, will give Sessions Judges still better opportunities of attending to this important part of their duties.

Extracts from Divisional and District reports

77. Extracts have been made from the Divisional and District reports, and collected in an Appendix on the plan adopted in last year's Report. The selections have been made of those portions that seemed likely to be of use as illustrating the various points dealt with in the preceding paragraphs, or as serving to direct the attention of officers to the matters that are of importance in the administration of Criminal Justice.

Notice of officers

78. The results attained and the reports submitted show that most Sessions Judges and District Magistrates have exercised an efficient control over the criminal administration of their charges. The Judges would note as deserving of special commendation the work of Messrs. Stogdon and Benton, Sessions Judges of Delhi and Peshawar, and of Messrs. Fryer, Brown and Clark, and Colonel Lang, District Magistrates of Hazara, Muzaffargarh, Lahore and Amritsar. It is to the exertions of the last named officer that the great improvement in the working of the Amritsar Courts is principally due. The reports submitted by Messrs. Benton and Clark are exceedingly clear and exhaustive.

I have the honor to be,

Sir,

Your most obedient servant,

T. GORDON-WALKER,

Registrar, Chief Court, Punjab.

STATEMENTS Nos. 1 to 8.

STATEMENT No. 1.

STATEMENT SHOWING THE NUMBER OF OFFICERS EXERCISING JURISDICTION IN CRIMINAL CASES IN THE PUNJAB ON THE LAST DAY OF THE YEAR 1885, AND THE WORK DONE DURING THE YEAR.

Class of Court.	Number of Officers.		Total number of Cases decided.			
			Original.		*Appeal.*	
	European.	Native.	Regular	Miscellaneous	Regular.	Miscellaneous
1	2	3	4	5	6	7
I.—Magistrates—						
Special Magistrates	27	18	858	13	...	..
Honorary Magistrates sitting singly { 2nd and 3rd class	1	53	4,303	1,583	.	.
Honorary Magistrates sitting singly { 1st class		8	1,316	379	.	..
Benches of Magistrates		130	9,318	2,384	..	...
Stipendiary Magistrates other than Chief Magistrates of Districts { 2nd and 3rd class	10	154	32,672	24,285	..	...
Stipendiary Magistrates other than Chief Magistrates of Districts { 1st class	35	74	27,908	29,279	98	..
Chief Magistrates of Districts	31		2,955	11,666	4,190	33
Total	104	437	79,330	69,589	4,288	33
II.—Courts of Session	13		669	7	4,017	1
III.—Chief Court	5		127	60	554	...
Grand Total	122	437	80,126	69,656	8,859	34

STATEMENT No. 2.

STATEMENT OF OFFENCES REPORTED, AND OF PERSONS TRIED, CONVICTED AND ACQUITTED OF EACH CLASS OF OFFENCE IN THE PUNJAB, DURING THE YEAR 1885.

Description of Offence				Offences reported	Complaints dismissed under Section 203, Criminal Procedure Code: Without reference to the police	Complaints dismissed under Section 203, Criminal Procedure Code: After reference to the police	Other cases struck off as false	Balance of cases returned as true	Number of cases brought to trial during the year	Persons: Under trial during the year	Persons: Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint	Persons: Acquitted or discharged on other grounds	Persons: Convicted	Persons: Died, escaped or transferred to another province, or trial postponed in consequence of insanity	Persons: Remaining under trial at the close of the year.
1				2	3	4	5	6	7	8	9	10	11	12	13
A—Offences under the Penal Code															
Offences against the State	Chap	VI	Secs	121 to 130					..		..	..	...	..	..
Offences against the Army and Navy	"	VII	"	131 to 140	2	.	1	1		.	...	..		.	...
Offences against the public tranquility	"	VIII	"	143 to 145, 149 to 151, 157, 158 Unlawful Assembly	101	31	25		45	36	407	2	182	168	...	55
			"	147, 148, 152 and 153 to 156. Rioting, &c	1,042	209	271	30	532	492	5,573	33	1,697	3,671	3	169
			"	160 Affray	230	4	3		223	218	1,282	3	421	852	.	6
Offences by or relating to public servants	"	IX	"	161 to 169 By public servants	177	77	19	1	80	79	96	2	57	31	...	6
			"	161, 170 and 171 Relating to public servants	153	30	29	.	94	89	122	2	85	33		2
Contempts of the lawful authority of public servants	"	X.	,	172 to 190	1,124	109	55	2	958	968	1,899	36	904	910	5	44
False evidence and offences against public officers	"	XI	"	193 to 200 False evidence or subornation, &c of public servants	395	44	13	3	335	333	554	12	320	198	1	23
			"	201 to 229 Offences against public justice	969	168	114	14	673	640	1,030	18	515	462	3	32
Offences relating to coin and Government stamps	"	XII	"	231 to 254 Offences relating to coin ...	134	1	5	5	123	119	139	4	57	76		2
			"	255 to 263 Offences relating to stamps .	16	1		1	14	10	13	1	5	4	1	2
Offences relating to weights and measures	"	XIII.	"	264 to 267.	93	3	9	.	81	80	116	2	48	64	.	2

Offences affecting the public health, safety, convenience, decency and morals.	Chap. XIV.	„ 269 to 278. Offences affecting public health ...	195	39	15	...	141	140	518	8	70	432	...	..8
		„ 279 to 289. Offences affecting safety ...	219	18	9	7	185	159	322	5	76	237	...	4
		„ 290 & 291. Offences affecting convenience ...	377	107	42	1	227	220	857	71	293	489	...	4
		„ 292 to 294. Offences affecting decency and morals	33	11	1	...	22	21	63	10	20	25	...	8
		„ 294A. Keeping lottery office or publishing proposals for lottery	...	...	...	...	...	...	..	...	...	...	...	...
Offences relating to religion.	„ XV.	„ 295 to 298	330	83	54	1	192	183	530	134	296	76	2	22
Offences affecting the human body.	„ XVI.	„ 302 and 303. Murder	476	4	8	31	433	348	743	...	361	215	2	165
		„ 307. Attempt at murder...	117	8	17	18	74	64	110	...	73	22	...	15
		„ 304. Culpable homicide	150	2	4	11	133	128	290	...	123	134	2	31
		„ 304A. Causing death by rash or negligent act ...	35	1	..	2	32	30	48	...	22	26	...	...
		„ 308. Attempt at culpable homicide	5	...	3	...	2	2	2	...	1	1	...	...
		„ 305 and 306. Abetment of suicide	2	1	...	...	1	...	...	...	...	...	...	...
		„ 309. Attempted suicide	198	4	5	16	173	163	164	2	45	116	1	...
		„ 311. Thuggee, &c., ...	2	1	...	...	1	1	1	...	...	...	...	1
		„ 312 to 315. Causing miscarriage	42	6	12	3	21	15	24	...	14	8	...	2
		„ 316. Injury to unborn children	1	...	...	...	1	1	1	...	1	...	...	...
		„ 317. Exposure of infants	26	4	5	2	15	11	13	...	4	9	...	...
		„ 318. Concealment of birth by secret disposal of dead body	38	1	2	1	34	30	41	...	12	28	1	...
		„ 325 to 331 & 333. Hurt with aggravating circumstances	1,478	123	138	64	1,153	921	1,990	82	799	1,022	...	96
		„ 323, 324, 332 & 334 to 338. Other cases ...	9,310	2,227	506	15	6,562	5,990	16,070	8,533	4,525	2,827	9	176
		„ 341. Wrongful restraint	1,049	413	171	2	463	398	1,047	372	505	160	...	10
		„ 342 to 348. Wrongful confinement	793	219	232	11	331	279	773	48	399	111	...	15
		„ 352 to 358. Criminal force or assault ...	33,097	10,104	1,225	27	21,741	19,244	48,515	29,443	12,225	6,393	5	449
		„ 364, 366, 367. Kidnapping or forcible abduction with aggravating circumstances	205	70	51	7	77	58	173	64	84	14	...	11
		„ 363, 365, 368, 369. Other cases	383	101	103	11	168	113	220	4	123	80	...	13
		„ 370, 371. Slavery	28	8	18	...	2	2	4	...	4	...	...	...
		„ 372 and 373. Buying or selling a minor for the purpose of prostitution	15	2	5	...	8	6	16	...	8	8	...	..
		„ 374. Forced labor	8	3	2	1	2	2	3	...	2	1	...	...
		„ 376. Rape	207	31	45	24	107	76	92	...	60	29	...	3
		„ 377. Unnatural offences	124	2	9	27	86	73	96	...	49	45	...	2
Offences against property.	„ XVII.	„ 382. Theft with aggravating circumstances ..	66	9	13	4	40	20	37	...	21	12	...	4
		„ 379 to 381 and 401. Other cases	16,957	1,539	3,054	447	11,917	6,622	9,510	42	3,262	6,048	19	139
		„ 386 to 389. Extortion with aggravating circumstances	33	16	16	...	1	1	6	...	6	...	...	...
		„ 384 and 385. Other cases	967	439	300	2	229	196	543	53	409	47	1	33
		„ 392 Robbery. With hurt	38	2	4	1	31	12	27	...	9	18	...	...
		„ 394 Robbery. Other cases	537	93	180	34	230	141	273	1	176	93	...	3
		„ 393 Robbery. Attempts	15	4	7	1	3	...	...	...	...	...	...	...

STATEMENT No. 2.—(*continued*).

Description of Offence.	Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the police.	After reference to the police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Persons. Under trial during the year.	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped or transferred to another province or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1	2	3	4	5	6	7	8	9	10	11	12	13
A.—Offences under the Penal Code—(concluded).												
Offences against property. Chap. XVII. — Secs. 396, 397, 398, 395, 399, 400 & 402 (Dacoity): With murder	3	...	...	1	2	1	6	...	2	4	...	...
Secs. 396, 397, 398, 395, 399, 400 & 402 (Dacoity): With attempt to cause death or grievous hurt	9	...	3	...	6	2	7	2	5	...	...	...
Secs. 396, 397, 398, 395, 399, 400 & 402 (Dacoity): Attempted robbery or dacoity when armed with deadly weapons	1	...	..	...	1	...	...	...	...	...	...	...
Secs. 396, 397, 398, 395, 399, 400 & 402 (Dacoity): Other cases	50	4	1	1	44	13	56	...	13	43	..	...
Secs. 403 & 404. Criminal misappropriation of property	810	211	122	3	474	433	691	32	305	346	1	7
Secs. 406 to 409. Criminal breach of trust	1,208	342	225	45	596	534	707	32	439	193	2	41
Secs. 411 to 414. Receiving or habitually dealing in stolen or plundered property	2,784	63	73	102	2,546	2,108	3,369	6	1,402	1,868	13	80
Secs. 417 to 420. Cheating	1,937	915	238	...	784	743	1,141	68	819	221	5	28
Secs. 421 to 424. Fraudulent deeds or disposition of property	48	21	9	.	18	17	28	2	13	11	...	2
Secs. 429 to 433 and 435 to 440. (Mischief): With aggravating circumstances	1,377	228	207	63	879	510	1,136	69	621	425	...	21
Secs. 426 to 428, and 434. (Mischief): Other cases	4,368	1,509	488	14	2,357	2,077	5,348	2,104	2,017	1,163	...	64
Secs. 459 & 460. (Criminal trespass): Resulting in death or grievous hurt	53	2	2	...	49	25	51	...	26	20	1	4
Secs. 449 to 452, 454, 455, 457 & 458. (Criminal trespass): For commission of serious offences	12,133	215	202	182	11,534	2,511	3,847	10	1,450	2,325	5	57
Secs. 453 & 456. (Criminal trespass): Other serious cases	902	18	34	37	813	294	391	2	149	226	1	13
Secs. 447, 448, 461 & 462. (Criminal trespass): Minor cases	5,366	2,133	725	61	2,447	2,302	5,429	2,400	2,044	859	3	123

Offences relating to documents and to trade or property mark.	Chap. XVIII.	Secs. 465, to 471 & 474. Forgery or uttering or possessing forged documents or papers	401	233	67	2	99	101	189	1	119	59	...	10
		„ 472 to 476. Counterfeiting or making or possessing a counterfeit seal, &c., for purposes of forgery	8	1	1	...	6	2	2	...	2	...	...	...
		„ 477. Fraudulently destroying or defacing a will or other document	21	17	7	...	7	6	10	...	9	1	...	...
		„ 482, 486, 487 and 488. Using a false trade or property mark and knowingly selling property so marked	20	16	1	...	3	3	4	1	1	1	...	1
		„ 483 to 485. Counterfeiting or making or possessing a die, plate, or instrument for counterfeiting a trade or property mark	4	2	...	...	2	2	3	...	3	...	...	...
		„ 489. Removing destroying, &c., a trade or property mark with intent to cause injury ...	16	10	3	...	3	3	5	1	4	...	...	...
Criminal breach of contracts of service.	„ XIX.	„ 490 to 492	86	39	6	...	41	40	67	23	18	24	...	2
Offences relating to marriage.	„ XX.	„ 493 to 498	7,429	2,452	581	7	4,389	4,070	6,058	2,299	2,967	603	11	178
Defamation ...	„ XXI.	„ 500 to 502	713	268	45	...	400	394	705	326	273	89	...	17
Criminal intimidation, insult or annoyance.	„ XXII.	„ 506. The threat being to cause death or other grievous hurt	110	63	6	...	41	41	78	25	39	14	...	...
		„ 504 to 510. Other cases	1,940	554	138	3	1,245	1,224	2,155	1,229	595	301	1	29
		TOTAL ..	113,800	25,685	9,984	1,349	76,782	56,190	125,845	47,819	41,703	33,991	98	2,234
B.—OFFENCES UNDER SPECIAL AND LOCAL LAWS.														
Breach of laws relating to—														
Arms, Ammunition and Military Stores		Act XI. of 1878	223	1	12	6	204	195	254	...	81	172	...	1
Bad livelihood		Chap. VIII. Cr. Pro. Code ...	2,980	38	118	52	2,772	2,621	3,434	22	762	2,606	4	40
Canals		Act VIII. of 1873	823	12	...	1	810	810	1,974	144	375	1,451	1	3
Cantonments, Military		„ III. of 1880	3,827	1	...	4	3,822	3,775	6,778	41	717	6,020	...	...
Cattle Trespass		„ I. of 1871	2,135	541	174	...	1,420	1,305	3,979	2,017	1,208	711	4	39
City Chaukidars		Act XX of 1856	95	...	...	...	95	95	150	...	32	118	...	...
Code of Civil Procedure		„ XIV of 1882	74	5	...	...	69	70	110	5	52	52	...	1
Companies Act		„ VI of 1882	...	...	...	...	...	1	1	...	1	...	...	...
Contract—Workmen		„ XIII of 1859	143	38	7	...	98	93	293	217	47	29	...	...
Contract by workmen on Railways and other Public Works		„ IX of 1860	...	...	...	...	...	...	...	..	...	...	...	...
Criminal Tribes and Eunuchs		„ XXVII of 1871	446	...	...	7	439	364	474	...	44	426	2	2
Emigration		„ VII of 1871	...	...	...	...	...	...	...	...	...	...	...	...
Excise on spirits and drugs		„ XXII of 1881 & XVI of 1883 ...	323	8	2	3	310	306	501	...	189	303	1	8
Factories		„ XV of 1881	...	...	...	...	...	...	...	...	...	...	...	...
Farcy and Glanders		„ XX of 1879	...	...	...	...	...	...	...	...	...	...	...	...
Ferries		„ XVII of 1878	20	2	6	...	12	12	23	2	3	18	...	...
Foreigners		„ III of 1864	...	...	...	...	...	1	2	...	2	...	...	...

STATEMENT No. 2—(*concluded*).

Description of Offence.	Offences reported.	Complaints dismissed under Section 203, Criminal Procedure Code. Without reference to the police.	After reference to the police.	Other cases struck off as false.	Balance of cases returned as true.	Number of cases brought to trial during the year.	Persons. Under trial during the year.	Discharged in consequence of the non-attendance of the complainant or the withdrawal of the complaint.	Acquitted or discharged on other grounds.	Convicted.	Died, escaped or transferred to another province or trial postponed in consequence of insanity.	Remaining under trial at the close of the year.
1	2	3	4	5	6	7	8	9	10	11	12	13
B.—Offences under Special and Local Laws—(continued).												
Forests ... ... Act VII of 1878 ...	1,228	85	13	5	1,125	1,078	4,321	24	1,128	3,141	...	28
Gambling ... ... " III of 1867 ...	164	1	2	5	156	154	1,037	...	428	590	...	19
Hackney and Stage Carriages ... ... " XVI of 1861 & XIV of 1879	198	9	2	...	187	187	291	2	59	230	...	...
License Act ... ... " II of 1878 ...	1	...	...	...	1	1	1	...	...	1	...	...
Marriages—Christian ... ... " XV of 1872 ...	...	...	...	...	...	1	2	...	2	...	...	...
Municipalities ... ... " IV of 1873 ...	2,526	27	1	...	2,498	2,505	3,965	79	1,035	2,791	4	56
Murderous Outrages ... ... " XXIII of 1867 & IX of 1877	...	...	...	...	...	...	...	...	...	...	...	...
Mutiny Act ... ... " VII of 1867 ...	3	...	...	...	3	3	3	...	1	2	...	...
Opium ... ... " I of 1878 ...	373	7	10	5	351	351	560	4	202	346	1	7
Peace, The ... ... Chap. VIII, Cr. Pro. Code ...	5,094	1,283	1,076	5	2,730	2,692	10,584	1,660	3,335	5,389	...	200
Legal Practitioners ... ... Act XVIII of 1879 ...	2	...	...	...	2	2	2	...	1	1	...	...
Police ... ... " V of 1861 ...	6,104	6	3	...	6,095	4,779	10,464	20	1,393	9,051	...	...
Post Office ... ... " XIV of 1866 ...	14	1	...	...	13	13	17	...	8	9	...	...
Printing Presses ... ... " XXV of 1867 ...	...	...	...	...	...	...	...	...	...	...	...	...
Prisons ... ... " XXVI of 1870 ...	29	...	1	...	28	27	34	...	6	28	...	...
Prostitutes ... ... " III of 1880 ...	148	11	...	...	137	138	180	...	20	159	...	1
Punjab Courts Act ... ... " XVIII of 1884 ...	14	...	...	...	14	14	15	...	...	14	...	1
Punjab Laws Act ... ... " IV of 1872 ...	531	13	7	...	511	510	861	22	155	679	1	4
Railways ... ... " IV of 1879 ...	443	4	16	3	420	410	601	4	160	422	...	15
Registration ... ... " III of 1877 ...	5	2	...	...	3	3	7	...	3	4	...	...
Salt and Saltpetre ... ... " XII of 1882 ...	70	...	...	1	69	68	134	...	11	120	...	3
Stamps ... ... " I of 1879 ...	131	10	1	...	120	123	191	...	62	125	...	4
Telegraphs ... ... " I of 1876 ...	1	...	...	...	1	...	...	...	...	...	...	...
Treasure Trove ... ... " VI of 1878 ...	8	...	1	...	7	7	20	...	1	19	...	...
Vagrancy, European ... ... " IX of 1874 ...	1	...	...	1	...	...	...	...	...	...	...	...
Wandering and Dangerous Lunatics ... ... " XXXVI of 1858 ...	...	...	...	...	...	...	...	...	...	...	...	...

Criminal Procedure Code	Act	X of 1882	...	5	2	...	...	3	3	11	...	10	1	...	...
Oriental Gas Companies	"	XI of 1867	...	8	...	...	...	8	8	8	...	1	7	...	...
Frontier Rules.															
Regulation I of 1872, Section 3			..	10	..	..	...	10	16	34	...	2	32	...	...
" " " 4			...	4	...	...	...	4	4	4	...	4	...	...	...
" " " 8			...	20	...	...	...	20	20	31	13	1	16	...	1
" III of 1873		Tenancy	..	1	..	...	...	1	1	1	...	...	1	...	...
" IV of 1873, Section 2		...	...	..	...	...	...	..	771	1,915	1	1,033	865	3	13
" VII of 1873 " 3, 5 & 6 ..			...	7	.	...	...	7	7	9	...	.	9	...	...
		TOTAL	...	28,232	2,107	1,452	98	24,575	23,544	53,276	4,277	12,574	35,958	21	446

STATEMENT No. 3.

STATEMENT OF MISCELLANEOUS PROCEEDINGS UNDER THE CRIMINAL PROCEDURE CODE IN THE PUNJAB, DURING THE YEAR 1885.

Nature of Proceedings.	For disposal.		Disposed of.			Remaining under trial.	
				Persons.			
	Cases.	Persons.	Cases.	Discharged.	Convicted.	Cases.	Persons.
1	2	3	4	5	6	7	8
1. Proceedings against witnesses under Sections 87 to 89 and 485	3	3	3	.	3	...	...
2. Proceedings under Chapter VIII, to prevent breach of the peace . .	2,701	10,589	2,663	4,989	5,400	38	200
3. Proceedings under Chapter VIII, security for good behaviour	2,602	3,407	2,583	739	2,629	19	39
4. Proceedings against local nuisances, Chapter X .	83	229	82	150	78	1	1
5. Disputes as to immoveable property, Chapter XII ..	198	591	194	382	197	4	12
6. Frivolous or vexatious complaints summarily dealt with under Section 250 ...	1,127	1,361	1,127	..	1,361	...	...
7. Non-attendance of Jurors or Assessors, Chapter XXIII	..	.	.	.	..	...	...
8. Maintenance, Chapter XXXVI	1,879	1,879	1,865	1,419	446	14	14
9. Forfeiture of bonds under Chapter XLII	216	299	213	86	208	3	5
Total ...	8,809	18,358	8,730	7,765	10,322	79	271

STATEMENT No. IV.

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE

Class of tribunal	NUMBER OF PERSONS FOR DISPOSAL.								PERSONS			
	Remaining at end of last year.	Brought to trial during the year						Total.	Died or escaped	Discharged without trial.		Acquitted.
		Under arrest by Police.	Upon warrant.	On summons	Voluntarily	Received on commitment or reference	Received by transfer from another district.			In consequence of the non-appearance of the complainant or withdrawal of the complaint.	On other grounds.	
1	2	3	4	5	6	7	8	9	10	11	12	13
I.—Magistrates												
Special Magistrates (Canal, Customs and Forest Officers, and Military Officers other than Cantonment and Assistant Cantonment Magistrates, invested with criminal powers).		31	7	1,395	616			2,049	1	183	174	222
Honorary Magistrates sitting singly — 2nd and 3rd class	78	2,124	963	7,034	286			10,485	7	4,410	1,402	1,240
Honorary Magistrates sitting singly — 1st class	28	877	236	1,312	64			2,517	8	533	568	388
Benches of Magistrates	109	5,488	619	13,357	894			20,467	4	8,316	2,051	2,849
Stipendiary Magistrates other than the Chief Magistrate of the district — 2nd and 3rd class	1,283	18,829	5,569	53,039	2,536			81,256	32	29,670	11,480	11,618
Stipendiary Magistrates other than the Chief Magistrate of the district — 1st class	970	27,283	5,238	22,318	1,354		13	57,176	54	9,538	12,957	6,644
District and Divisional Magistrates—Cases referred under Section 349, Criminal Procedure Code ...	1			..		279		280		.	11	31
Chief Magistrate of the district — Under ordinary powers	98	3,778	228	1,042	156	11		5,313	85	248	1,653	767
Chief Magistrate of the district — Under powers, under Section 30	73	894	46	2	6	9	.	1,030		.	106	68
Total	2,640	59,304	12,906	99,499	5,912	299	13	180,573	191	52,848	30,402	23,827
II.—Courts of Session — Trials under Chapter XIX	72	..	.	...	.	758		830	3	..	...	306
II.—Courts of Session — References under Section 34, Criminal Procedure Code	10			...	.	321		331		.	...	8
II.—Courts of Session — Other references		-		..		28	.	28		.	..	4
Total ..	82					1,107		1,189	3	.	..	318
III.—Chief Court .. — Original trials .	..	...				4	..	4	.	..	1	...
III.—Chief Court .. — References under Section 374 Criminal Procedure Code	26			...	...	136	..	162	...	...	...	12
Total	26	.	..	...		140	..	166	...	...	1	12
Grand Total ..	2,748	59,304	12,906	99,499	5,912	1,546	13	181,928	194	52,848	30,403	24,157

* Fresh trial

No. IV.

TRIBUNALS OF VARIOUS CLASSES IN THE PUNJAB, DURING THE YEAR 1885.

DISPOSED OF						Persons remaining at the end of the year	Number of cases brought to trial during the year	NUMBER OF CASES DISPOSED OF						Total number of cases pending	Number of cases pending over three months	Average number of days during which each case lasted	Number of witnesses examined
Convicted									Summons cases		Warrant cases						
On regular trial		On summary trial		Committed or referred	Total			Enquiries under Chapter XVII	Tried regularly	Tried summarily	Tried regularly	Tried summarily	Total				
Appealable sentence passed	Non-appealable sentence passed	Appealable sentence passed	Non-appealable sentence passed														
14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1,507	9				2,046	3	861		856		2		858	3		4	2,236
3,800	1			13	10,373	112	4,324		2,926		1,377		4,303	56		8	11,687
539	396			19	2,451	66	1,335	10	548		758		1,316	33		9	4,725
3,648		3,472		9	20,349	118	9,308		6,385	1,035	908	990	9,318	46		5	14,045
26,944	215			250	80,209	1,047	32,699	5	22,205		10,462		32,672	419		8	68,020
10,940	12,081	91	3,118	694	56,117	1,059	27,848	402	10,977	2,035	14,162	297	27,873	422	5	8	104,588
213	20		1	1	277	3	189		2		190	1	193	2		6	228
680	1,336	13	359	69	5,210	103	2,235	119	805	174	1,556	75	2,229	50	3	9	5,546
490	21			323	1,008	22	555	42	1		525		568	15		18	5,225
48,261	14,079	3,576	3,478	1,378	178,040	2,533	79,354	578	44,205	3,244	29,940	1,363	79,330	1,046	8	8	236,295
261	3			135	708	122	420				389		389	62	3	55	5,240
323					331		255				258		258			7	485
17	7				28		22				22		22			4	12
601	10			135	1,067	122	697				669		669	62	3	35	5,746
	2				3	1	4				3		3	1		92	36
	110			2	124	38	111				124		124	30		42	
	112			2	127	39	115				127		127	31		43	36
48,862	14,201	3,576	3,478	1,515	179,234	2,694	80,166	578	44,205	3,244	30,786	1,363	80,126	1,139	11	8	242,077

ordered

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS

Class of tribunal.	Persons sentenced to												Persons ordered to find or give		
		Transportation.			Imprisonment.				Fine.		Whipping.				
					Rigorous.										
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Sureties of the peace.	Recognizance to keep the peace.	Sureties for good behaviour.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
I.—MAGISTRATES.															
Special Magistrates	...	...	...	...	...	16	73	...	27	1,424	...	2	...	...	...
Honorary Magistrates — 2nd and 3rd class	...	...	...	...	298	184	21	...	370	2,772	2	26	...	...	...
Honorary Magistrates — 1st class ...	...	...	...	...	170	97	9	...	130	398	10	12	30	41	178
Benches of Magistrates	...	...	...	...	73	216	24	...	142	6,788	...	19	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts — 2nd and 3rd class	...	...	...	...	2,525	2,200	239	...	3,553	21,757	10	323	...	...	...
Stipendiary Magistrates other than Chief Magistrates of Districts — 1st class ...	...	...	...	...	4,733	1,855	351	3	4,606	11,528	148	579	3,803	1,261	2,243
District & Divisional Magistrates—Cases referred under Section 349, Criminal Procedure Code ...	...	...	...	...	171	19	...	...	106	1	11	43	...	...	...
Chief Magistrates of Districts — Under their ordinary powers	...	...	...	...	247	110	19	...	191	1,491	15	43	200	65	208
Chief Magistrates of Districts — Under their powers under Section 34, Criminal Procedure Code	...	...	...	...	395	84	6	...	269	16	37	10	...	...	...
Total ...	...	...	...	...	8,612	4,781	742	3	9,394	46,175	233	1,057	4,033	1,367	2,629
II—Courts of Session. — Original trials	...	93	18	...	137	11	1	2	95	...	...	7	...	...	...
II—Courts of Session. — References under Sec. 34, Criminal Procedure Code	...	...	7	...	287	26	...	...	169	...	15	...	...	...	3
II—Courts of Session. — Other references ...	...	...	...	...	11	...	...	...	...	...	...	...	...	...	13
Total ...	...	93	25	...	435	37	1	2	264	...	15	7	...	...	16
III.—Chief Court — Original trials	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...
III.—Chief Court — References under Sec. 374, Criminal Procedure Code	84	23	...	...	3	...	...	...	...	...	...	...	...	...	...
Total ...	84	23	...	...	3	2	...	...	...	...	...	...	...	...	...
Grand Total ...	84	116	25	...	9,050	4,820	743	5	9,658	46,175	248	1,064	4,033	1,367	2,645

No. 5.

CRIMINAL TRIBUNALS IN THE PUNJAB, DURING THE YEAR 1885.

Persons imprisoned in default of security for good behaviour.		DETAIL OF PUNISHMENTS.																			
		FINE.										IMPRISONMENT.									
												15 days.		6 months.		2 years.		Above 2 years.		Above 7 years.	
Rigorous.	Simple.	Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed.	Amount realized.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
...	..	1,382	69	...	...	...		5,546	5,436	211	202	12	63	4	10	...	...	..	...	...	...
...	...	2,699	429	14	.	...	...	18,937	16,973	2,779	2,244	50	12	432	9	...	...	...	...	...	...
38	1	354	152	14	8	..	...	9,515	6,105	1,118	705	13	4	114	6	178	...	...	...	...	...
...	...	6,709	216	5		...	...	13,037	11,638	484	295	85	16	204	8	...	...	...	...	...	...
...	...	22,197	3,006	88	19	..	...	1,50,940	1,30,518	13,963	9,448	720	140	4,005	99	...	...	...	...	...	...
368	40	11,643	3,919	461	102	9		2,02,778	1,36,156	32,261	12,631	393	113	3,216	242	3,341	36	6	...	...	...
...	...	20	80	6	.	1		3,494	1,122	729	103	.	...	30	...	157	...	3	...	...	...
20	1	764	639	152	118	6	3	66,090	47,938	40,201	20,332	15	8	114	10	232	2	16	...	...	...
...	...	33	194	37	19	2	...	14,260	9,259	1,569	266	2	1	53	5	164		260	..	...	...
426	42	45,801	8,704	777	266	18	3	4,84,597	3,65,145	93,315	46,226	1,290	357	8,172	389	4,072	38	285	...	..	...
...	...	4	70	14	7		.	3,775	1,509	750	320	.	...	15	1	39	...	75	...	19	...
..	1	6	107	42	12	2	..	12,235	4,557	1,103	1,239	.	...	...	...	5	1	308	...	...	...
10	...	...	...	.	...	...	...			.	.		...	2	...	18	...	1	...	...	...
10	1	10	177	56	19	2	...	16,010	6,066	1,853	1,559	..	...	17	1	62	1	384	...	19	...
...	...	...	...	..		..	...	...	...		...	..	...	...	...	...	...	2	...	...	...
...	...	..	...	...	...	...	...	.	...	...	..	..	...	1	...	1	...	1	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	3	...	...	...
436	43	45,811	8,881	838	285	20	3	5,00,667	3,71,211	95,168	47,785	1,290	357	8,190	390	4,135	39	672	...	19	...

STATEMENT No. 5 A.

STATEMENT SHOWING THE PARTICULARS OF WHIPPINGS INFLICTED BY THE CRIMINAL TRIBUNALS OF THE PUNJAB, DURING THE YEAR 1885.

Offences for which Awarded.	Number of Stripes awarded.													
	5 *and under.*		6 *to* 10.		11 *to* 15.		16 *to* 20.		21 *to* 25.		26 *to* 30.		*Total.*	
	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	First conviction.	Second or subsequent conviction.	Adults.	Juveniles.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Part I.														
Showing whippings inflicted under Sections 2 and 3, Act VI of 1864, in lieu of other punishment.														
1. Theft, as defined in Section 378, I. P. C. ...	40	...	176	2	194	1	81	1	31	1	79	5	502	109
" 380, " ...	9	...	32	2	37	...	30	...	11	...	9	...	96	34
" 381, " ...	1	...	3	1	9	...	12	...	10	...	3	...	32	7
" 382, " ...	...	...	...	...	1	...	...	...	1	...	1	...	2	1
2. Extortion, as defined in " 388, " ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" 389, " ...	...	...	..	...	...	...	...	...	...	...	...	...	...	...
3. Dishonestly receiving stolen property, as defined in " 411, " ...	1	...	15	1	26	...	23	1	12	...	20	1	87	13
" 412, " ...	...	...	...	...	2	...	...	...	...	...	...	...	2	...
4. Lurking house-trespass, as defined in " 443, " ...	...	...	4	...	...	...	2	...	...	...	1	...	3	4
5. Lurking house-trespass by night, as defined in " 444, " ...	2	...	9	...	6	...	6	...	4	...	11	...	29	9
6. House-breaking, as defined in " 445, " ...	1	...	3	...	6	...	6	...	2	...	2	1	12	9

7. House-breaking by night, as defined in Section 446, I. P. C. ...	4	...	12	...	13	1	15	...	5	...	9	1	45	15
8. Offence under Section 49, Act XXVI of 1870	...	...	...	...	...	...	...	...	...	...	1	..	1	...
9. Offence under Section 19, Act XXVII of 1871	...	...	3	...	10	...	2	1	1	...	2	2	20	1
10. Offence under Section 14, Act III of 1880	...	...	1	...	1	...	...	...	...	...	...	...	...	2
TOTAL ...	58	...	258	6	305	2	177	3	77	1	138	10	831	204

PART II

Showing whippings inflicted in addition to other punishments. Sections 3 and 4, Act VI of 1864.

A.—SECTION 3

1. Theft, as defined in Section 378, I. P. C. ...		...		4		18		28		10		45		105
1. Theft, as defined in " 380, " ...		...		2		4		6		3		7		22
1. Theft, as defined in " 381, " ...		...		...		4		3		1		2		10
1. Theft, as defined in " 382, " ...		...		...		..		...		...		...		...
2. Extortion, as defined in " 388, " ...		..		...		...		...		...		...		...
2. Extortion, as defined in " 389, " ...		...		...		..		...		...		...		...
3. Dishonestly receiving stolen property, as defined in " 411, " ...		...		...		4		5		5		17		31
3. Dishonestly receiving stolen property, as defined in " 412, " ...		...		...		...		...		..		...		...
4. Lurking house-trespass, as defined in Section 443, I. P C ...		...		...		1		1		...		...		2
5. Lurking house-trespass by night, as defined in Section 444, I P C.		...		3		1		1		...		...		5
6. House breaking, as defined in Section 445, I. P. C ...		..		..		2		2		...		5		9
7. House-breaking by night, as defined in Section 446, I. P C. ...		1		1		1		3		5		3		14
8. Offence under Section 19, Act XXVII of 1871 ...		...		6		10		3		3		3		25
9. Offence under Section 14, Act III of 1880 ...		...		1		...		...		...		...		1

B —SECTION 4

1. False evidence, as defined in Section 193, I. P. C ...		...		..		...		...		...		...		...
1. False evidence, as defined in " 194, " ...		...		...		...		...		...		...		...
1. False evidence, as defined in " 195, " ...		...		...		...		...		...		...		...
2. False charge of unnatural offence, as defined in Sections 211 and 377, I. P. C. ...		...		...		...		...		...		...		...
3. Assault, as defined in Section 354, I. P. C. ...		...		...		...		...		...		...		...

No. 5 A.—*continued.*

Offences for which Awarded	Number of Stripes. 5 and under. First conviction	5 and under. Second or subsequent conviction	6 to 10. First conviction	6 to 10. Second or subsequent conviction	11 to 15. First conviction	11 to 15. Second or subsequent conviction	16 to 20. First conviction	16 to 20. Second or subsequent conviction	21 to 25. First conviction	21 to 25. Second or subsequent conviction	26 to 30. First conviction	26 to 30. Second or subsequent conviction	Total
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Part II—(*concluded*)													
4 Rape, as defined in Section 375, I P. C ...		..		...		...		...		...		...	...
5. Unnatural offence, as defined in Section 377, I P. C ..		..		...		...		...		...		1	1
6 Robbery, as defined in Section 390, I P C ..		...		...		..		..		1		...	1
7. Dacoity, as defined in Section 391, I P. C. ...		...		...		...		1		...		...	1
8. Attempt at robbery, as defined in Section 393, I P. C ..		...		...		...		...		...		...	...
9. Hurt in committing robbery, as defined in Section 394, I P. C ...		...		...		1		...		...		...	1
10. Receiving stolen property, as defined in Section 413, I P C ...		..		...		...		...		..		..	...
11. Forgery, as defined in ... ... „ 463, „		...		...		...		...		...		...	...
„ 466, „		...		...		...		...		...		...	...
„ 467, „		...		...		...		...		...		...	...
„ 468, „		...		...		...		...		...		...	...
„ 469, „		...		...		...		...		...		...	...
12. Lurking house-trespass, as defined in Section 443, I P C		..		...		...		...		...		...	...
13. Lurking house-trespass by night as defined in Section 444, I. P. C.		...		...		...		...		..		6	6
14. House-breaking, as defined in Section 445, I P C .		1		...		...		3		2		3	9
15. House-breaking by night, as defined in Section 446, I P. C. ...		...		...		...		...		1		4	5
Total ...		2		17		46		56		31		96	248

No. 5 A—*concluded.*

Offences for which awarded.	Stripes. 5 and under. First conviction.	5 and under. Subsequent conviction.	6 to 10. First conviction.	6 to 10. Subsequent conviction.	11 to 15. First conviction.	11 to 15. Subsequent conviction.	16 to 20. First conviction.	16 to 20. Subsequent conviction.	21 to 25. First conviction.	21 to 25. Subsequent conviction.	26 to 30. First conviction.	26 to 30. Subsequent conviction.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Part III.													
Showing whippings inflicted under Section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II.													
Section 324, I. P. C	...	...	1	...	...	...	...	...	...	...	...	...	1
" 325 "	...	...	...	...	2	...	...	...	4	...	...	...	6
" 367 "	...	...	...	...	...	...	...	...	...	...	1	...	1
" 376 "	...	...	1	...	...	...	1	...	...	...	...	...	2
" 377 "	...	...	...	...	...	...	3	...	1	...	6	...	10
" 414 "	...	...	...	...	1	...	...	...	...	...	...	...	1
" 417 "	...	...	...	...	...	...	1	...	...	...	1	...	2
" 457 "	...	...	...	...	1	...	...	...	...	...	...	...	1
" 509 "	...	...	1	...	...	...	...	...	...	...	...	...	1
Act III of 1867	2	...	...	...	...	...	...	...	...	...	...	...	2
" IV of 1879	...	...	...	...	2	...	...	...	...	...	...	...	2
Total ...	2	...	3	...	6	...	5	...	5	...	8	...	29

Part IV.—*Showing relative number of times whipping was awarded, as compared with other punishments.*

Total number of whippings awarded	1,312
Total number of other punishments in cases in which whipping might have been legally inflicted	11,326
Percentage of whipping ...	11

STATEMENT No. 6.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PUNJAB, DURING THE YEAR 1885.

Tribunals.	Number of persons.											Average number of days during which each appeal lasted.
	Total number of appellants and applicants for revision before the Courts.	Died, escaped or transferred.	Appeals or applications rejected.	Sentence or order confirmed after hearing.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence or order reversed.	Proceedings quashed.	New trial or commitment ordered.	Referred for revision to the Chief Court.	Pending trial.	
1	2	3	4	5	6	7	8	9	10	11	12	13
APPEALS.												
To—												
District Magistrates	7,569		1,612	2,859	2	901	1,934	14	37		210	10
Courts of Session	4,963	16	1,605	1,646	22	417	1,055		30		172	16
Chief Court — By persons convicted ...	800	3	241	285		75	95		30		71	38
Chief Court — By Government from Judgments of acquittal										...	..	...
Total ..	13,332	19	3,458	4,790	24	1,393	3,084	14	97		453	14
REVISION.												
By—												
District Magistrates...	505	.	1,330					..	312	104	42	...
Courts of Session	373	.	493				.	..	78	41	21	...
Chief Court	3,145		1,934	346	47	123	317	.	227	.	151	...
Total .	4,023		3,757	346	47	123	317		617	145	214	...
Grand Total ...	17,355	19	7,215	5,136	71	1,516	3,401	14	714	145	667	...

STATEMENT No. 7.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS OF THE PUNJAB IN THE YEAR 1885.

Class of Courts.	Established or average number of Jury or Assessors in each case.	Number of cases tried by Jury.	Number of cases tried by Assessors.	Jury Trials.					Assessors' Trials.				Classes of cases in which Jurors and Assessors have been principally employed.
				Cases in which the Judge approved of the verdict.	*Cases in which the Judge did not approve of the verdict.*		*Number of persons of the verdict in respect to whom the Judge disapproved.*		Number of cases in which the Judge agreed with the Assessors	*Number of cases in which the Judge differed from*			
					Wholly.	Partially.	Whose cases he referred under Sec. 307, Cr. P. C.	Whose cases he did not refer under S. 307, Cr. P. C.		One Assessor.	Two Assessors.	Three Assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Magistrates' Courts under Chapter X, Cr. P. C.—Jurors	9	3	...	1	2	...	...	...	...	...	...	...	
Courts of Session.—Assessors	3	...	387	...	...	...	...	...	313	13	12	49	Sessions trials.
Chief Court, Original Criminal jurisdiction.—Jurors ...	9	* 3	...	2	2	...	...	...	...	...	...	...	Original trials.
Total	...	6	387	3	4	...	...	...	313	13	12	49	

* In one case there was no jury, as the accused pleaded guilty.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF

Description of Offence.	Number of Persons Accused and brought before a Magistrate.						Died, escaped, or transferred to other Provinces.	Number actually brought to trial.	Persons whose Cases were											
		Within the year.							By District Magistrates and other 1st Class Magistrates.							By Court of Session.				
	Remaining at the close of the previous year.	On complaint, Sec. 191 (a), Criminal Procedure Code.	On Police report, Sec. 191 (b) of the Code.	By Magistrate suo motu, Sec. 191 (c) of the Code.	On transfer from another Province.	Total.			Received by transfer under Sec. 451 B of the Code.	Convicted.	Acquitted or discharged.	Committed. To Court of Session.	Committed. To High Court.	Transferred by order under Sec. 451 B of the Code.	Total, omitting entries in Cols. 10 and 15.	Received by transfer under Sec. 451 B of the Code.	Convicted.	Acquitted or discharged.	Transferred to High Court under Section 449 of the Code.	Total, exclusive of Col. 17.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Contempts of the lawful authority of public servants, Chapter X ...	...	2	...	1	...	3	...	3	...	2	1	...	...	...	3	...	...	...	...	...
False evidence and offences against public servants, Chapter XI	..	...	1	1	..	2	...	2	...	1	1	...	...	...	2	...	..	...	...	...
Offences affecting the public health, safety, convenience, decency and morals, Chapter XIV	...	3	3	...	...	6	..	6	...	3	3	...	...	...	6	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Offences affecting life ...	...	...	2	...	..	2	..	2	...	..	...	...	2	...	2	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Hurt	...	7	2	...	..	9	...	9	...	6	3	...	..	...	9	...	...	...	...	...
Offences affecting the human body, Chapter XVI. — Criminal force and assault	...	50	...	...	...	50	..	50	...	26	24	...	..	...	50	...	...	...	...	...
Offences against property, Chapter XVII. — Theft	...	...	2	..	...	2		2	..	1	1	...	...	...	2	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal breach of trust...	..	1	1	...	..	2	...	2	..	...	...	...	2	...	2	...	...	...	...	...
Offences against property, Chapter XVII. — Cheating	..	1	..	...	...	1	...	1	...	1	...	...	...	..	1	...	...	...	...	...
Offences against property, Chapter XVII. — Mischief	...	2	2	...	...	4	..	4	...	2	2	...	...	...	4	...	...	...	...	...
Offences against property, Chapter XVII. — Criminal Trespass ...	..	..	1	...	...	1	..	...	..	...	...	...	..	...	...	...	...	...	...	...
Offences relating to documents and to trade or property mark, Chapter XVIII	..	...	1	...	...	1	..	1	...	1	...	..	...	...	1	...	...	...	...	...
Offences relating to marriage, Chapter XX	..	1	...	...	.	1	..	1	..	1	..	..	.	...	1	...	...	...	...	...
Defamation, Chapter XXI ...	...	2	...	...	...	2	...	2	...	...	2	...	...	...	2	...	...	...	...	...
Criminal intimidation, insult or annoyance, Chapter XXII ...	...	6	..	...	...	6	...	6	...	2	4	...	...	...	6	...	...	...	...	...
Offences under Special and Local laws	...	7	23	...	...	30	...	30	..	22	8	...	...	...	30	...	...	...	...	...
Total ...	...	82	38	2	...	122	...	121	..	68	40	...	4	...	121	...	...	...	...	...

No. 8.

EUROPEAN BRITISH SUBJECTS IN THE PUNJAB, DURING THE YEAR 1885.

Disposed of.							Number of cases.					
By High Court.			Total for all Courts.									
Convicted.	Acquitted.	Total.	Convicted.	Acquitted or discharged.	Total.	Number of persons under trial at the close of the year.	Brought to trial.	Disposed of.	Pending.	Number of persons who applied to the High Court for an order under Sec. 456 of the Code.	Of those entered in Col. 5, who applied under Sec. 2, Act III of 1884, for transfer or committal of their cases.	Number of persons who applied to the High Court under Sec. 526 of the Code for the transfer of their cases.
22	23	24	25	26	27	28	29	30	31	32	33	34
...	...	...	2	1	3	...	3	3	...	...	...	...
...	...	...	1	1	2	...	2	2	...	...	...	...
...	...	...	3	3	6	...	5	5	...	...	...	...
1	1	2	1	1	2	...	2	2	...	...	...	...
...	...	...	6	3	9	...	9	9	...	...	...	...
...	...	...	26	24	50	...	47	47	...	...	...	...
...	...	...	1	1	2	...	2	2	...	...	...	...
1	...	1	1	...	1	1	2	1	1	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	2	2	4	...	3	3	...	...	...	...
...	...	...	...	...	...	1	...	...	1	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	1	...	1	...	1	1	...	...	...	...
...	...	...	...	2	2	...	2	2	...	...	...	...
...	...	...	2	4	6	...	6	6	...	...	...	...
...	...	...	22	8	30	...	30	30	...	...	...	...
2	1	3	70	50	120	2	116	115	2	...	...	...

Subsidiary table.

35							36			
Of the Total Number of persons shewn in							Of cases shewn in Column 30.			
Column 16.			Column 21.		Columns 21 and 24.		Disposed of by Magistrates.		Disposed of by Sessions Judges.	
Number who claimed to be tried by a mixed jury, Sec. 451 A (1) of the Code.	Number who did not so claim.	Number of those in Col. 35 (1) whose cases were transferred under Sec. 451 B of the Code.	Number who claimed a mixed number of assessors, Sec. 451 (2) of the Code.	Number who did not so claim.	Number who claimed to be tried by a mixed jury, Sec. 451 (1) of the Code.	Number who did not so claim.	Being European British subjects.	Other than European British subjects.	Being European British subjects.	Other than European British subjects.
1	2	3	4	5	6	7	8	9	10	11
2	119	...	...	...	...	3	105	8	2	...

APPENDIX TO THE CRIMINAL REPORT,

1885.

EXTRACTS FROM DIVISIONAL AND DISTRICT REPORTS.

Extracts from the Annual Criminal Reports of Sessions Judges and District Magistrates.

SUBJECT 1 —*General review of offences committed and brought to trial*

SESSIONS JUDGE OF AMRITSAR

(MR. WILKINSON.)

Increase in cases struck off the Register.—In both districts the number of cases struck off the register has increased, and these fluctuations probably depend, in great measure, on the idiosyncrasies of the individual police officers and magistrates who make and determine the applications.

Cases under Section 203, Criminal Procedure Code.—The marked increase (from 367 to 2,911) of cases rejected, under section 203, Criminal Procedure Code, in the Amritsar district, is a satisfactory feature, as is the circumstance that the bulk of the cases so disposed of were rejected without reference to the police.

This procedure has been even more liberally adopted in the Gurdaspur district, where, out of 3,467 rejections, all but 572 were made without reference to the police. In Amritsar 57, and Gurdaspur 68, references only were made in cases of the petty assault type, which in the former district aggregated 2,786, and in the latter 3,396

SESSIONS JUDGE OF LAHORE.

(MR. ROE).

There has been a remarkable increase in the number of serious offences reported in the Lahore district, the increase being mainly under the head of murder and theft. For the increase in murders no special reason can be assigned ; very few of them arose from disputes regarding land, and no blame whatever can be attached to the authorities for this increase. The increase in thefts is attributed by the Deputy Commissioner to agricultural distress, and this is probably correct

The dismissal of complaints under section 203, Criminal Procedure Code, has received the full attention of Deputy Commissioner Lahore There can be no doubt that, as he says, the Criminal Courts are often resorted to improperly either to settle what are merely civil disputes, or merely to gratify enmity

But the evil is not an easy one to deal with. The complaint *as set out* is usually a sufficient one, and it would be often quite impossible for the magistrates, even if they had time to do so, to break down the case at the outset by a more examination of the complainant, however full. The only course is to refer doubtful cases to the police for investigation, and to award compensation where complaints are really shewn to be unfounded On both these points the action of the magistrates seems to be satisfactory.

DISTRICT MAGISTRATE OF LAHORE.

(MR W. O CLARK).

Offences dismissed summarily.—The figures are—

	1884	1885
Total offences reported	7,771	7,285
Rejected under section 203, C P. C , without reference to police ...	1,094	589
Do Do. after reference to police ...	953	898

The figures for last year were commented on unfavourably by the Chief Court as showing a large number of unnecessary references to police. The figures of this year are worse than last year. An analysis of the figures, however, shows that of the 898 cases so rejected,—

	459	were theft cases,
	32	robbery cases,
	60	criminal trespass.
Total	551	

These are all cognizable cases; and besides those a great number of other miscellaneous cognizable cases were so rejected. These cases would in the ordinary course be taken up by the police without any complaint to the magistrate. A number of them were probably cases which the police refused to investigate (Section 157 (b), Criminal Procedure Code). A reference to the police in such cases seems to me unobjectionable, and the best way of disposing of such cases. As remarked in last year's report, a local enquiry by the police is the best way of dealing with a great number of complaints. Magistrates have only a certain and generally an insufficient amount of time for work, and if they spend too much of that time in investigating false and frivolous cases (which can be investigated by a cheaper and less hard-worked agency), they will have the less time to devote to serious cases. The increased number of cases rejected after reference to the police is not so much a matter of concern as the decreased number of cases rejected without reference to the police. False cases and frivolous complaints are most numerous; and it is very desirable that they should be rejected *in limine*. The way our criminal courts are abused to establish civil rights or to gratify private enmity, is one of the worst features in our criminal administration. Now of 1,322 reported cases of criminal force or assault, only 64 were rejected without reference to the police, and of 2,845 persons brought to trial only 307 were convicted. Of 357 marriage cases 95 were rejected without reference to the police, and of 346 persons brought to trial only 33 were convicted. Of 114 cases to keep the peace (Criminal Procedure Code, Chapter VIII), none were rejected under section 203, Criminal Procedure Code; and of 499 persons brought to trial, only 44 persons were convicted. These are the three most remarkable classes of cases in point, and they show that small results have been obtained in these cases, and much trouble must have been caused. When the Criminal Report for the province reached me last year, I took action in this subject on the remarks of the Chief Court in para. 4 of the Report. A statement was prepared showing for each magistrate in the district the number of cases rejected before and after reference to the police during 1884. I drew the attention of these Courts to these figures, and required them to send in monthly statements showing the figures for the month. As this was in October, not much effect was produced in the course of the year. I propose to continue to call for these statements, and to lay more stress on the necessity of rejecting cases under section 203, Criminal Procedure Code, either before or after reference to the police, to secure that accused are not unnecessarily harassed. It is a slightly satisfactory feature of the present returns that 75 persons were punished under section 250, Criminal Procedure Code, this year, against 4 persons last year, for making frivolous or vexatious complaints.

DISTRICT MAGISTRATE OF JHELUM.

(Mr. SILCOCK).

I am unable to account for the great increase in crime, and the District Superintendent of Police is unable to supply me with any satisfactory reason. The percentage of cases sent up for trial to those admitted to have occurred is very good; but when it is considered that 68 per cent. of the prisoners so sent up were discharged, there is very little ground for congratulation, and it is clear that a very large proportion of the cases must have been sent up on very insufficient grounds. There can be very little doubt that the increase is to a great extent attributable to the immunity which offenders now enjoy through there being no public prosecutor, while in every case of importance the accused are always represented by pleaders. To this and to the fact that the bad character sections of the Criminal Code are practically unworkable, owing to the stringent provisions of the Act and the strictness with which the Chief Court insists on this being carried out, and also to the fact that officers concerned in investigation &c. are seldom or never made practically aware of their responsibility for good or bad working, I attribute the increase of crime.

DISTRICT MAGISTRATE OF GUJRAT.

(MR. R. CLARKE).

The total number of offences reported in 1885 shows an increase of 708 as compared with the previous year, which itself exceeded 1883 by no less than 1,380 cases. The increase is apparent under nearly every head of crime; and I am quite at a loss to account for it, the more so because I was only in charge of the district for 1½ out of the 12 months to which this report refers.

The number of complaints rejected under section 203 after reference to the police, was about the same as in the previous year; but there was a marked decrease from 1,201 to 1,084 in the number rejected without such reference. I find nothing more difficult than to get native magistrates to freely exercise the powers given them by this section, not because they do not examine the complainant, but rather because they do not seem to possess the instinct to discriminate false cases from true, and partly because they shirk the responsibility which the procedure in question undoubtedly involves. It is worthy of note that the balance of true cases and the number of actual convictions have increased in an adequate proportion to the increase in institutions.

DISTRICT MAGISTRATE OF MONTGOMERY.

(MR. TROWARD).

In making a general review of the criminal work of the district during the past year, my remarks are necessarily few, as I have not yet been long enough in this district to admit of my forming a very decided opinion upon some points; in particular I would hesitate before concurring with my predecessor's opinion given in last year's report regarding the entire worthlessness of the Montgomery police. Should I have the writing of the next annual report, I shall then be in a position to speak from a longer experience on this important subject; but for the present I think the correct course is to accept the figures for the past year as on the whole fairly reliable. It should, however, always be borne in mind that there are peculiar difficulties in this district in the way of the working of the police. A very large proportion of the population are cattle stealers by profession, and hence special facilities are afforded both for the removal of stolen cattle and for the fabrication of evidence on behalf of the thieves. The nature of the country also is favourable to cattle theft, as the desert covered with scrubs, bushes, will hide a large herd of animals even at a short distance. The proximity also of independent native states is favourable to the escape of offenders and the disposal of stolen animals. In a district where the bulk of the population are cattle breeders, the defence that the animal is home bred is one easily resorted to and very difficult to disprove. The assertions of the witnesses for the prosecutor that the animal was bred in his own house, are not in themselves more convincing to the court, than those of the witnesses who assert that it was bred in the house of the accused. The relative credibility of the evidence of either side can be tested only by the consideration of other circumstances in the case, and in many cases these "other circumstances" are not such as to carry much weight with them. The cattle are generally lost while out grazing in the jungle, and are frequently not found till one, two, or three years after their loss. The result is therefore that in a great number of instances there is sufficient ground for the police to reasonably suspect the commission of an offence, which it would be neglect of duty on their part not to investigate, while on the other hand there is not that measure of evidence eventually forthcoming which is requisite for the strict legal proof of an offence.

I therefore think it affords no ground for surprise if the proportions of convictions to the number of cases taken up by the police in this district is smaller than in the generality of others, nor do I think that such disproportion necessarily indicates inefficiency on the part of the police.

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Out of 2,698 cases returned as true 1,401 were brought on to trial, the corresponding figures last year being 2,106 and 1,240 respectively; in other words, in round numbers, 52 per cent. came up for trial this year as against 59 per cent. last year. And turning to convictions we get during the present year 1,399 persons convicted out of 3,034 brought to trial, as against 1,124 out of 2,634 last year, giving a percentage of 47 this year as against 42 last year. The effective results therefore of the criminal working of the district seem to have kept at much the same level as during the previous year.

DISTRICT MAGISTRATE OF MUZAFFARGARH.

(MR. BROWN).

Cases admitted as true are 74 per cent. of those reported, as against 77 per cent. in 1884. I think that 25 per cent is a reasonable proportion to allow for cases which should not really come before the Criminal courts at all, but which are presented to magistrates,

partly at the instigation of petition writers, who tell the complainant that the criminal machinery works more cheaply, effectively, and speedily than the civil, and partly from the belief that mere appearance of a constable will suffice to frighten away the trespassing intruder, recover the concealed wife, or as the case may be. So long therefore as not more than 25 per cent. of the complaints are summarily dismissed, or less than 75 per cent. admitted, I see no reason to think that the door of the Criminal courts is either too closely barred or too widely open to criminal litigants.

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON).

I do not know that there is much difference between the districts as to the practice prevailing in regard to the reporting of crime. There is no doubt that hitherto the hard and fast rules of the Code of Criminal Procedure have not been carried out. Loop holes have been left to the Police officer, which he has taken advantage of. The formality of getting the informant to sign the information required by section 154 is often neglected, or the information is taken from the village chowkidar who usually accompanies the complainant, and not from the complainant who should usually know most of the matter. This makes an awkward case to deal with when it is desired to institute a prosecution under section 211 of the Penal Code. The Police Officer although he has got the information, may not regard it as a sufficient reason for suspecting that an offence has been committed; and may not accordingly report to the magistrate under section 157 of the Procedure Code. I think that he ought always to regard it as sufficient reason. Magistrates sometimes, I find, take it upon them to issue orders that classes of offence shall not be reported as such until certain preliminaries are gone through, for instance, that rape shall not be reported until the subject has been examined by the Civil surgeon. I found this was the practice in the Peshawar District; and I had to request that it should be put a stop to, as it had the effect for one thing of throwing suspicion on all the Police proceedings, when it was discovered that no report had been made till long after the occurrence. The informant without being frightened should be impressed, if possible, while signing the information, that he is performing an important act which may have serious consequences to himself if it be afterwards discovered to be false and malicious. The honesty or dishonesty of the population would then be the basis on which the reporting of offences would rest, and there would be no complication due to the Police officer's estimate of the trustworthiness of the information. It is but a poor guarantee of course for the truth of the information, but it is a constant quantity; and would yield useful statistics for comparing one year with another; and, besides, the result is subject to correction after enquiry. * * * * *

A very marked difference is observable in the three districts in regard to the manipulation of offences reported. The magistrates of Peshawar reject a great many cases after examination of the complainant with or without reference to the Police for investigation, and a good many cases are struck off as false on application of the Police. The district magistrate is of opinion that a good many cases are improperly dismissed. The percentage is considerably in excess of that for the province, but this is what we should expect, if we are to make any allowance for the excessive mendacity and dishonesty of the Peshawar population. There is no doubt, however, but that in the other two districts the opposite error is committed. It cannot be believed that complaints are carefully scrutinized in the first instance, or that sufficient use is made of the Police for dealing with doubtful complaints, when the figures are so exceedingly small as compared with Peshawar and with the province in general. This view is borne out by an examination I made of the files of cases under Chapter XXII in the Hazara District for 1885, which shewed that in many of the cases no process need have issued. The same mistake is doubtless committed with regard to cases under other Chapters of the Code in both districts. * * * * *

It appears desirable that the efforts to secure a correct report of crime should be made in Peshawar and Hazara similar to those made by the Deputy Commissioner in Kohat, that a number of magisterial files should be examined in Peshawar to see that cases are not improperly dismissed, and that the same thing should be done in Hazara and Kohat, to see whether a larger number of cases might not well be disposed of by preliminary examination and by reference to the Police. Whether I shall have time to undertake any thing of this sort I am at present unable to say

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SUBJECT No. 2.—*Offences classified under the Indian Penal Code*

SESSIONS JUDGE OF AMRITSAR

(MR. WILKINSON.)

Increase in theft and criminal trespass.—The District Magistrate of Amritsar has remarked upon the increase in cases of theft and criminal trespass; and he attributes such increases to the scanty rainfall during a portion of the year. There is no corres-

ponding increase in the adjoining district of Gurdaspur, but it is possible that local circumstances were more favourable in the latter district. If, as is ordinarily the case, minor cases of criminal trespass occurred in reference to land, it would appear that the character of the season had little to do with the value put upon the possession of land.

Cases under Sections 172 to 190.—I observe that in the Amritsar district there were 79 cases returned as true falling under sections 172 to 190. I understand that resistance to the taking of property by the lawful authority of a public servant (Section 183), and assaults on public servants while in the execution of this duty (Section 353), are rife in the Amritsar district; but the returns afford no clue.

Offences relating to marriage.—The proportion of persons convicted for offences against marriage (27 and 19) are very dis-proportionate to the number of cases returned as true. I doubt whether the cases are thoroughly enquired into, for frequently Civil appeals come up in which it appears that Magistrates have referred complainants to the Civil courts to establish the fact of the marriage, and this in face of repeated and reiterated injunctions to the contrary. It is also found that complaints are made with the object of recovering the woman and are then dropped; a civil suit being by this means avoided. The fact that 148 discharges occurred in Amritsar and 128 in Gurdaspur from default of prosecution, show this to have in a measure at least occurred.

DISTRICT MAGISTRATE OF RAWALPINDI.

(Mr. THORBURN.)

Mischief cases.—I draw attention to mischief cases. Eliminating 213 complaints rejected under section 203, there were 289 true cases against 272 in 1884. The common forms of mischief are burning stacks and grain heaps, and maiming and poisoning cattle.

Convictions are always obtained with great difficulty, as the offence is generally committed at night and the offender is seldom caught red-handed. Yet in almost every case the offender is well-known. The Attock and Pindi Gheb tahsils—the two frontier tahsils of the district, both of which for backwardness and in characteristics of population resemble trans-Indus tracts—are notorious as the tahsils in which mischief is most rife and seldomest detected. I would strongly recommend that the Frontier Regulations should be extended to those two tahsils, so that trial by *Jirgah* be introduced in them. The available machinery of the law is quite inadequate to protect life and property in those tahsils. The fact that under mischief cases alone 447 persons were tried and only 58 convicted (of whom it is reasonable to suppose a good percentage were acquitted on appeal), I think proves my contention.

SESSIONS JUDGE OF DERAJAT.

(Mr. DAMES.)

The number of murders last year was 55, compared to 44 in 1884, 35 in 1883, and 41 in 1882. There was an increase of 14 cases in Bannu and 3 in Dera Ismail Khan, Dera Ghazi Khan shows a decrease of 6 cases. The serious increase in Bannu of murder cases is much to be regretted, and calls for some stringent measures to keep down crime on that Border. The Deputy Commissioner ascribes the increase (I.) to two unusually good years of harvests which brought down large numbers of hill men &c., to the District; (II.) to the extreme difficulty of securing convictions owing to the factious spirit of the people, and the strict application of the technical law; and (III.) to the absence of an English Assistant with full powers, to relieve him of routine work, and leave him free to interview the head men. The circumstances of the Bannu valley and the character of the people are very similar to those of the Peshawar District; and I hope that the Special Committee now sitting at Peshawar for amending the Frontier Regulations will extend its enquiries to Bannu also, and that the measures thought necessary for coping with crime in Peshawar will also be made applicable to this District; an experienced English Assistant Commissioner should, I think, as requested by the Deputy Commissioner, be posted to Bannu.

1885	33.
1884	19.
1883	12.

The kidnapping of Hindu Baniás, which was unfavourably commented on by Colonel Ommanney in 1883, and by Colonel Gurdon in 1884, shows a satisfactory decrease of 6 cases; only 4 cases were reported against 10 in 1884, and 8 in 1883. Culpable homicide shows a falling off of 9 cases; and mischief by fire, of 20 cases. Rape and robbery also shew a decrease of 2 and 3 cases respectively. Attempts at murder and culpable homicide were 9 against 20 in 1884 and 13 in 1883. The marked decrease in Dera Ghazi Khan of offences affecting human life (Sections 302 to 309) from 21 in 1884 to 10 in 1885 is ascribed to the greater care taken by the Deputy Commissioner in enforcing the responsibility of Baloch Chiefs for the internal good administration of the tribes under their control.

DISTRICT MAGISTRATE OF BANNU.

(LIEUT.-COLONEL CONOLLY.)

The increase in the number of murder cases is of course much to be regretted, though it is balanced to a certain extent by a decrease of other serious crimes; but I am glad to be able to report that this tendency to murder was promptly met by increased vigilance on the part of the District Magistrate and police. I find that in 1885 no less than 7 persons were executed and eight sentenced to transportation for life; and I have reason to believe that but for the strenuous efforts which have been made throughout the year to keep down crime, this list of murders would have been even heavier than it is. I propose, if I can get leisure, reporting separately on this point, but I think it as well to enumerate briefly here the causes which I think are tending to an increase of murders in the district.

(1). First.—The fact that there have been two successive unusually good years of harvest throughout this district, and this has led to large numbers of hill-men, as well as men of the district who had left it at a time of scarcity, returning to their villages.

(2.) Secondly.—The extreme difficulty in securing a Judicial conviction, owing partly to the fact that the country people are beginning to find out how easy it is to conceal evidence, and partly to the very strict way in which technical law has now to be applied in every case.

(3.) Thirdly.—The want of services of a full-powered English Assistant Commissioner who could relieve the Deputy Commissioner of much heavy and routine work, and leave him free to interview the headmen and ascertain personally how each is working,—a matter of the utmost importance in a Frontier District like Bannu, where faction feeling runs very high, and where a considerable number of the chiefs are wild hill-men who require careful handling. It should also be recollected that in all Frontier Districts the Deputy Commissioner has much important political work in addition to the ordinary work of a regulation district; and that it is, therefore, imperatively necessary to give him a strong staff, which has certainly not been the case with me during the two years I have had charge of the District.

SESSIONS JUDGE OF PESHAWAR DIVISION.

(MR. BENTON.)

The Deputy Commisioner of Peshawar notes a diminution of cases under the Penal Code. There is a notable decrease of offences against public tranquility, which fell from 152 to 98. It seems probable that the extensive operations of the Magistrates in taking security to keep the peace are here yielding good fruit. There have been more than twice as many prosecutions for perjury. These operations represent probably not one hundredth part of the perjury that goes on. It is only advisable to trouble the Magistrate with such cases when the accused clearly entraps himself by purposely giving contradictory evidence, or the like.

There is a serious increase in all the districts of murders and attempts to murder. In Peshawar murders have increased from 77 to 100, and attempts from 12 to 27. In Hazara there were 23 murders, as against 17 of the previous year. In Kohat murders increased from 25 to 35, and attempts from 10 to 15. No explanation can be given of this increase by any of the Magistrates. We can only hope that the Committee about to sit may be able to devise means which may enable the administration to cope with this crime and repress it.

Kohat.—Apart from murders which have already been noticed the most notable changes are an increase in thefts from 249 to 651, and in lurking house trespass from 257 to 378. The Deputy Commissioner thinks that the increases are to a certain extent accounted for by a better system of reporting. This may be, but we have seen that there has been an increase of burglaries elsewhere. The Deputy Commissioner has, it appears, adopted a system of personally looking after certain classes of offences which threaten to get the upper hand, *viz.*, burglaries, cattle theft and murders. I think this course is very highly to be commended, as likely to lead to the best results. These crimes will either be repressed in this way, or if they be not, the Deputy Commissioner by the experience gained will be in a position to tell us with certainty what steps require to be taken to gain the desired object.

PESHAWAR DISTRICT.

(Mr. TUCKER.)

There was an increase of 38 cases (or 59·37 per cent) of false evidence as compared with 1884; and 36 as compared with 1883: but the same number was brought to trial in 1885 as in 1882. The amount of perjury that goes on is enormous, and the number of cases that come up for trial form an infinitesimal portion of the whole. It is quite common for a witness to make one statement before the Magistrate, and another before the Sessions Court. In the year under report the Sessions Judge has in several murder cases discharged the accused, and directed the witness to be prosecuted for perjury.

Of the total number of murder cases one occurred on the night of the 31st December 1885, and in two cases the offenders remain undiscovered and no one has been charged. In 15 cases, in which 47 persons are implicated, the supposed offenders have fled across the border or were originally trans-border men. In 83 cases 246 persons were brought to trial. Of these 57 were discharged by the Magistrates, 53 were made over to *Jirgahs* for trial, and 101 were committed to the Sessions. Five cases, involving 35 persons, remained pending at the close of the year.

Of the 53 persons made over to *Jirgahs*, 32 were fined various sums, and 18 were discharged; the remaining 3 were awaiting trial at the close of the year.

The 101 persons committed to the Sessions Court were disposed of as follows:—

Acquitted	39
Transported for life	6
Death	18
Pending at close of year	38

Of those transported for life, one was acquitted by the Chief Court on appeal. Of those sentenced to death, 6 were hanged, 4 acquitted on appeal to the Chief Court, and 8 are awaiting result of their appeals to the Chief Court.

The inhabitants of 4 villages were fined Rs. 1,300, with the sanction of the Court of the Division for concealing evidence in murder cases, *viz*:—

		Rs.
Babra	...	300
Kopar	...	500
Machai	...	200
Bhana Mari		300

In a large proportion of the cases in which the offenders were tried by *Jirgah*, their guilt was very doubtful. In some there was merely suspicion, the real facts being involved in much doubt. Many of these cases consist of midnight assassination, in which the actual murderer is often hired for the purpose, and it is next to impossible to obtain any satisfactory clue. As far as can be ascertained there were 41 cases of murder connected with women, and 21 cases were on account of long standing blood feuds.

The increase in robberies and dacoities, and the large increase in burglary cases, is much to be regretted. No special explanation can be given for the increase which is connected with general causes, which will form the subject of discussion at the approaching meeting of the Committee already alluded to.

DISTRICT MAGISTRATE OF HAZARA

(Mr. FRYER.)

There were 55 fewer cases of mischief. Cases of mischief with aggravating circumstances decreased by 37, and cases of ordinary mischief by 18. This is certainly cause for congratulation, and I attribute this result—

(1.) to the heavy punishment which always follows a conviction in cases of rick burning and cattle poisoning;

(2.) to the number of persons who have been placed upon security to keep the peace where party spirit was over rife;

(3.) to the practice of invariably referring cases of mischief in which the evidence, though not strong enough to secure a judicial conviction, was still such as to lead to strong suspicion against the accused, to Councils of Elders. 91 cases of mischief were thus referred to Councils of Elders; and of these 84 were serious cases. 111 offenders were punished by Councils in mischief cases, and 45 were acquitted.

DISTRICT MAGISTRATE OF KOHAT

(MR. UDNY.)

The number of cases of murder (including murders by Dacoits) rose from 25 in 1884 to 36 during the year under report. I am quite unable to account for this large increase, but I understand that in the Peshawar District, too, there has been a considerable rise in the number of murders as compared with 1884. Something also may be due to the fact that in 1884 only 2 of the 25 murders were prosecuted to a judicial conviction. This year, as will be seen below, the results are far better. Moreover the numbers of murders in 1883 and 1884 were undoubtedly a good deal below the annual average, which I see Mr. Tucker, when writing the Settlement Report in 1883, gave as 39 for the previous 12 years.

The above figures will show that, although the number of murders is increased by 44 per cent., very few have gone undetected or unpunished, except when the murderers have absconded.

This year with the increased success in detection and punishment, I think I observe an increased tendency on the part of murderers to flee at once across the border; and, although in several cases the crime has been committed in open daylight and in the presence of many other persons, the criminal has been allowed to escape without a hand being lifted to stop him. Unfortunately in the present state of the law there is no legal obligation on any private person (even a village headman) to make the arrest or turn out the village "*chigha*" (hue and cry party) in pursuit; and I am unable to take any notice of such apathy, though in the case of one border village I have proposed a heavy punitive post, partly on account of their allowing offenders to escape to the hills without making an effort to capture them.

Theft This head, as already noticed, also shows a large increase of crime during the year under report. Out of 651 cases admitted to have occurred, 121 cases or 18 per cent. have been brought to trial, against 35 per cent. in the preceding year. The working of the police under this head is exceedingly bad; but it must be remembered that it includes cattle thefts which are very numerous in this district, and the way in which the cattle are carried away beyond the border, generally precludes the possibility of apprehension and conviction.

In the last quarter of the year I have started a separate English register in my own court of all cases of cattle theft, and every such case now comes to me direct so that I am able to keep crime of this kind under constant supervision. I have also opened a similar register of cases of lurking house trespass or house breaking, and every case of this description, if not sent up for judicial trial by the police within 15 days of its report, is then (unless there are special reasons for granting further delay) made over under my own supervision to a *Jirgah* of the Maliks of the village in which it has occurred, with an intimation that, unless they give up the culprits and convict them by *Jirgah*, the village will be proceeded against under Section 2, Frontier Regulation I of 1872. Hitherto I have found this system—which I have also applied in the case of murders—work very well, though only introduced in its entirety for the last quarter of the year, but I shall be better able to judge of the results in 1886.

Offences relating to marriage, under Chapter XX, Indian Penal Code — Last year the small number of complaints summarily dismissed under this head was noticed by the Chief Court in paragraph 20 of their Criminal Report for 1884, and the attention of all courts was especially drawn by me in November last to the power of summary dismissal conferred on Magistrates by Section 203 of the Criminal Procedure Code, as well as to the necessity of making a more complete preliminary enquiry both by examination of the complainant, and by investigation through the police, before issuing process for the attendance of the accused. This year, however, the number so dismissed is again very small, being 6 out of 169 complaints, or almost exactly the same percentage as in 1884.

Of the 163 cases returned as true, all were brought to trial, but most of these cases were either compromised or referred to *Jirgah* by request of both parties, so that the percentage of judicial convictions is very low, though among an Afghan population like the people of this district, very few cases of this kind are not genuine.

SUBJECT No. 3.—*Offences classified. Local and Special Laws.*

SESSIONS JUDGE OF LAHORE.

(MR. ROE.)

The remarks of the District Magistrate Lahore regarding the demand of security for good behaviour, show what might reasonably be expected.

The law when thoroughly understood, and when the police cease to exercise over persons on security a control not warranted by law, soon loses its terrors for the really bad characters; whilst on the other hand it is easily used by influential men as a means of oppressing the innocent. I can therefore hardly concur in the recommendation that its provisions should be made more stringent.

The offences under the Canal Act have risen in this district so high as from 13 to 97, and this large increase is ascribed by Deputy Commissioner to want of rain at the proper time.

The decrease in prosecutions by the Municipal Committees, is attributed by the Deputy Commissioner Lahore to a falling off in sanitary zeal on the part of the Committees, and is therefore viewed with regret. This may be so; but I think that improved sanitation is to be looked for rather in a vigilant discharge of its own duties by the Committee itself, than in an increase of prosecutions against individuals. The large number of proceedings instituted for security to keep the peace, and the very small result in the Lahore District, is noticed by the Deputy Commissioner, and I quite concur in all his remarks.

DISTRICT MAGISTRATE OF JHELUM.

(MR. SILCOCK.)

The decrease in Forest cases is probably owing to the people becoming more used to the restrictions; but also undoubtedly to the use made by the Forest Officers of the compensation clauses of the Forest Act, by which not one-half of the offences which actually occur and *are punished by fine*, ever come before the courts.

DISTRICT MAGISTRATE OF GUJRAT.

(MR. R. CLARKE.)

Forest offences have gone up from 58 to 76, and 188 persons were convicted against 144 in the previous year. 1885 was a year of great drought in the Gujrat District; and offences under this law were naturally more numerous than usual. Still it is in my opinion inexpedient to set the people against the law by harassing prosecutions for forest offences, and this in the best interests of the forests themselves. The establishment for watching the so-called forests is so insignificant that, if the sympathies of the people overcame the *prestige* of Government, the District and Forest officers will be helpless. Since being put in charge of the forests and waste lands of the district, I have reserved to myself the power of sanctioning prosecutions for forest offences.

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON.)

In the districts of Peshawar and Hazara there has been increased action on the part of the Magistrates in taking security for bad livelihood and in taking recognizances to prevent breach of the peace. The Deputy Commissioner of Hazara says that this is the result of a deliberate policy by which it has been endeavoured to prevent the evils that have resulted from the bitter party factions that exist all over the district. No doubt the action taken in the Peshawar District has the same object. Similar efforts have been somewhat relaxed in the Kohat District. It is much to be desired that the amendment of the Frontier Regulations may facilitate action in this direction, which is very much restricted by the present law. The Deputy Commissioner of Hazara thinks he observes the good effects of his action in diminishing mischief, offences, riots and the like, and I doubt not that he is right in this. The Deputy Commissioner Hazara regrets a slight increase in forest offences dealt with, but says that the people are more contented than they were. This may be; but I know that forest regulations still cause a considerable amount of popular discontent from cases that come before me on appeal.

DISTRICT MAGISTRATE OF HAZARA.

(MR. FRYER.)

There were 36 more forest cases. This is to be regretted, but still there were only 21 more cases than in 1883 and 202 less than in 1882. The draft of a revised Forest Regulation has been submitted to Government. Generally the people appear to be more contented than they were on the subject of Forest laws.

SUBJECT No. 4.—*Offences classified. Miscellaneous proceedings under the Criminal Pro. Code.*

DISTRICT MAGISTRATE OF DELHI.

(MR. SMYTH.)

Frivolous or vexatious complaints.—There was a large decrease also in the number of cases falling under this head; and this fact would appear to point to the conclusion that the Subordinate Courts of this District are still very lax in their use of the provisions of Section 250 of the Code of Criminal Procedure. The Tahsil and Honorary Magistrates' Courts were warned in this matter when the statistics for 1884 came under review, and attention will be drawn to the subject again.

DISTRICT MAGISTRATE OF MUZAFFARGARH.

(MR. BROWN.)

I am still strongly of opinion that it is the heads and fosterers of gangs that should be dealt with, and not their petty followers, under this provision of the law (security for good behaviour). As in 1884 I have taken up cases of this kind in one Tahsil myself (varying the tahsil taken). In this way I hope soon to become acquainted with the most noted criminals and their most inveterate enemies in the district. Difficulty is often found in catching bad characters when the Magistrate is in the neighbourhood. In one case the subordinate police officials were, I considered, greatly to blame for carelessness in this. I have now directed Magistrates to see carefully that all lawful means are used to the utmost to secure the attendance of men wanted on a charge under Section 110, Criminal Procedure Code, recourse being had, if need be, to Sections 87, &c. of the Act.

SESSIONS JUDGE OF DERAJAT DIVISION

(MR. DAMES.)

There was again a satisfactory increase in the cases of frivolous or vexatious complaints dealt with under Section 250, Criminal Procedure Code, which rose from 58 to 91; and the increase is observable in all the Districts. The attention of the Subordinate Courts has repeatedly been called in the quarterly Reviews to the necessity of counteracting by the awarding of compensation the mischievous practice of instituting groundless or frivolous charges from motives of personal spite, and I am glad to see that more attention is being paid by Magistrates to this important matter. I would like to see the law amended so as also to be applicable to certain classes of warrant cases when the enquiry has established the innocence of the accused or demonstrated the vexatious nature of the complaint. False and malicious charges are especially rife in the Bannu district.

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON.)

With regard to Section 250 of the Criminal Procedure Code, I think that it is matter for regret that it does not permit of compensation in frivolous complaints other than summons cases. The notion of the Legislature no doubt is that the institution of a false warrant case demands a more serious punishment. The result, however, is that the culprit usually escapes punishment altogether.

SUBJECT No. 5.—*Details of disposal. Pending cases and duration of cases.*

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON).

The number of committals for the preceding year had only been 96, so there is an increase of 42 cases committed. This is mainly to be accounted for by the great increase of murders before referred to, and kindred offences; but another reason was that towards the end of the year some dozen cases in the Peshawar District, which the Magistrates wished to have referred to *Jirgah*, were improperly committed to the Sessions, the committing Magistrate well knowing that there was no chance of a conviction. Left to themselves they would not have committed, and they only did so because they supposed

themselves, under an obligation to commit, because the Magistrate of the District declined to refer to the *Jirgah* and ordered the case to be committed. In all these cases without exception acquittals resulted, and I complained of my time being wasted by this irregular procedure, and the practice was put a stop to. Otherwise I intended to have referred the committals for cancelment to the Chief Court.

During the year the cases of 37 persons, on whom capital sentences had been passed, were referred to the Chief Court. Of these 27 had been disposed of by the Chief Court and 10 remain pending. The sentences were confirmed in 14 of these, they were set aside in 4, and in the cases of 9, other sentences were passed.

This is a poor and altogether inadequate result for 158 murders committed in the Division. As it is admitted that the means at present at the disposal of the administration for repressing assassination are inadequate, and a committee is about to sit to devise others, it is useless commenting on the subject on the present occasion. In the past year assassination has been rifer than ever, and it is to be hoped that this otherwise regretable circumstance may have the beneficial effect of strengthening the Committee's hands and inducing the Government to consent to measures sufficiently drastic to ensure the object in view.

SUBJECT No. 6.—*Agency by which Criminal work was disposed of.*

SESSIONS JUDGE OF DELHI.

(MR. STOGDON).

In Delhi the Honorary Magistrate disposed of more than half the cases. The District Magistrate reports that their findings are usually correct, but their punishments are sometimes lenient. Mahommed Ikram-ulla Khan is reported to have disposed of a large amount of work; and the District Magistrate reports that very few appeals have been preferred against his orders; but, as I have already remarked, he acquitted or discharged almost every one who appeared before him.

In Gurgaon Rai Hardial Singh of Sohan and Mahomad Suraj-ud-din Haidar Khan continue to give satisfaction. The Rewari Board is not popular. This is a complaint of long standing.

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON).

The Bench of Honorary Magistrates in Peshawar has, I am glad to observe, continued to give satisfaction. I regret that the Bench at Kohat does not enjoy the confidence of the Deputy Commissioner; and has done much less work than usual. The Bench in Peshawar is, I know, a very useful body. I often see confessions, dying declarations, and the like recorded by members of it; and I have heard nothing to their prejudice.

SUBJECT No. 8.—*Frontier rules.*

SESSIONS JUDGE OF PESHAWAR.

(MR. BENTON).

When a case is referred to *Jirgah* it is no longer a Judicial matter but an Executive one. I would never propose any appeal on the merits against a *Jirgah* finding or sentence, but many irregularities I know are committed; and there should be a recognized local authority for listening to and redressing such complaints. The general inclination seems to be to largely extend the functions of the *Jirgah*. This I think should be done with caution, and with proper safeguards against abuse. The institution should be regarded not as a mere instrument for procuring conviction, but as one for discovering the truth under the conditions of Frontier society. I am thoroughly convinced that the conditions under which the *Jirgah* can do valuable work are misunderstood when a number of persons selected from a distance to secure impartiality are required to decide on the guilt or innocence of a person at the Court-house on the official papers which have been got together, without requiring them to place themselves in communication with the community affected in order to discover what notions on the subject are current there. This is oftener, I believe, the method of dealing with a *Jirgah* reference than otherwise, and it is a wonder that the *Jirgah* has not got a bad repute in consequence. I think the Deputy Commissioner of Kohat is right in insisting that the *Jirgah* sentences should be for punishment as well as for compensation. The more general enforcement of village responsibility is a step in the right direction; and I think deportation might be had generally recourse to, when the security required is not forthcoming, instead of imprisonment. These are matters which may be discussed by the Committee about to sit.

DISTRICT MAGISTRATES OF HAZARA.

(MR. FRYER).

With reference to His Honour the Lieutenant-Governor's remarks at para. 10 of his Review of the Criminal Administration Report for 1883, I am of opinion that the power of *Jirgahs* should be largely added to, and that in this direction lies the only hope of bringing offenders more often to justice in Frontier Districts than is at present the case. The facilities of appeal are also at present too great, and I can point to instances in which men who are known to the whole country-side as murderers have been acquitted only too often to fall victims to private vengeance, and thus provide the court with a second murder case on the result of the miscarriage of the first. Then again there are numerous cases in which the offenders are perfectly well known, and yet in which it is impossible to get sufficient evidence to satisfy the courts. All that can be done in such cases is to send them to *Jirgahs* and the *Jirgahs* can only fine. If the fine is beyond the ability of the offender to pay he escapes scot free. The measure of the fine inflicted must be, not the gravity of the offence, but the circumstances of the offender; and this is, I maintain, a radical fault in the present system. The *Jirgah* system almost amounts to trial by jury, and cannot fail to recommend itself to the people of the frontier in the form to which I recommended its expansion.

SUBJECT No. 12.—*Examination of complainants and preliminary investigations by police, Sections* 200 *and* 202, *Criminal Procedure Code.*

DISTRICT MAGISTRATE OF GUJRAT.

(MR. R. CLARKE).

Complainants, as I have already stated, are invariably examined; but there is still a disinclination to dismiss cases without process, and too many petty cases are still referred to the Police. The subject is one to which I devote a good deal of attention habitually, as there is nothing of which I am more convinced than that the extent to which our Criminal Courts are abused for the purpose of wreaking out petty spite against private enemies is a serious blot on our administration, although it may be argued with plausibility that it is politically expedient as a safety valve. Still the tendency is one which a District Magistrate ought to do his utmost to curb. I invariably take the Criminal petitions myself; and except in rare cases, I have the whole petition read to me before making it over to a Subordinate Court. I am thus enabled even without examining the complainant to form a rational opinion of whether there is anything in the case or not, and I never hesitate, when I think the case is one that wants particular scrutiny, to give an indication to that effect to the Court below. European Magistrates would probably resent such indications; but I have every reason to believe that native Magistrates appreciate them, as supplying the moral courage they want, and to some extent shifting the responsibility on the District Magistrate's shoulders, who will have to hear the petition for revision afterwards. I do not on the abstract defend the plan, but I find it works to perfection in practice where most Native Magistrates require sympathetic guidance.

SUBJECT No. 13.—*Recording of evidence and of examination and confession of accused persons, Chapter XXV, Criminal Procedure Code.*

SESSIONS JUDGE OF DELHI.

(MR. STOGDON).

A few Magistrates still record evidence in a perfunctory manner and in the vaguest terms. They appear to consider that their duty is to record the few unconnected sentences, jerked out by an ignorant witness, and they make no effort to obtain a clear and succinct account of events which have occurred, or to test the truth of statements by cross-examination. These remarks do not, however, apply to the majority of the Magistrates, who are alive to the fact that their duty is to elicit the truth and not to act as mere machines. The same remarks apply to the examinations of accused persons. Those Magistrates who cannot examine a witness properly, cannot examine an accused person properly and *vice versa*. The District Magistrate of Hissar reports that the examination of the accused is generally recorded by the Magistrates in the form of a narrative, and not in the form of question and answer; and hence it needs no special comment; but as a matter of fact every question put to and every answer made by an accused person should be recorded as directed by Section 364, Criminal Procedure Code. Most Magistrates are aware of this; but there are some exceptions. As a rule, confessions are properly attested. I have noticed that the provisions of Section 342, that a Magistrate shall question the accused generally on the case after the close of the evidence for the prosecution, are often disregarded. Some Magistrates examine the accused after the evidence of one or two witnesses has been recorded, and do not question him again until a charge has been framed.